



**CITY OF
TUCSON**

DEPARTMENT OF
URBAN PLANNING
& DESIGN

March 25, 2009

To: Subscriber to the Tucson *Land Use Code (LUC)*

SUBJECT: SUPPLEMENT NO. 45 TO THE LAND USE CODE (LUC)

Dear Subscriber:

Enclosed is Supplement No. 45 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 10636, Flexible Lot Development (FLD), adopted by the Mayor and Council on February 24, 2009. In addition, some minor formatting efforts have been corrected.

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Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Norma J. Stevens
Secretary

Enclosures: Summary of Amendment
 Supplement No. 45

TUCSON LAND USE CODE (LUC) – SUPPLEMENT NO. 45

SUMMARY OF AMENDMENT

ORDINANCE NO. 10636

ORDINANCE NO. 10636 (Adopted on February 24, 2009)

The adopted LUC amendment includes the following:

AMENDING CERTAIN PORTIONS OF THE TUCSON CODE, CHAPTER 23, LAND USE CODE, ARTICLE II, DIVISION 4, OFFICE ZONES, SECTIONS 2.4.1.2 AND 2.4.2.2; ARTICLE II, DIVISION 8, HILLSIDE DEVELOPMENT ZONE (HDZ), SECTION 2.8.1.6.C; ARTICLE III, DIVISION 2, DEVELOPMENT CRITERIA, SECTION 3.2.3.1.F; ARTICLE III, DIVISION 6, DEVELOPMENT INCENTIVES, SECTION 3.6.1; ARTICLE V, DIVISION 1, POWERS AND DUTIES, SECTION 5.1.13; AMENDING CERTAIN PORTIONS OF THE TUCSON CODE, CHAPTER 23, LAND USE CODE, BY REPLACING THE TERM “RESIDENTIAL CLUSTER PROJECT” AND “RCP” WITH “FLEXIBLE LOT DEVELOPMENT” AND “FLD” THROUGHOUT THE LAND USE CODE AND ALL CITY REGULATIONS; AMENDING CERTAIN PORTIONS OF THE TUCSON CODE, CHAPTER 23A, DEVELOPMENT COMPLIANCE CODE, ARTICLE II, DIVISION 1, GENERAL ZONING REVIEW PROCEDURES SECTION 23A-35 AND SECTION 23A-33.1.

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LAND USE CODE
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 - b. Civic Assembly
 - c. Food Service, subject to: Sec. [3.5.4.6.C](#)

2. Recreation Use Group, Sec. [6.3.7](#)
 - a. Recreation

E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. [3.5.10.2.A](#) and .B.1.

F. The following is permitted as a Secondary Land Use to Educational Use.

1. Industrial Use Group, Sec. [6.3.6](#)
 - a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §1, 11/24/03)

(Ord. No. 8653, §1, 2/26/96)

2.2.2.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#).

2.2.2.6 Exceptions.

- A. Parcels of less than one hundred eighty thousand (180,000) square feet, recorded prior to December 1, 1985, which conformed to minimum parcel size requirements at the date of recording, shall be deemed to contain an area of one hundred eighty thousand (180,000) square feet.

CITY OF TUCSON *LAND USE CODE*
 ARTICLE II. ZONES
 DIVISION 2. RURAL RESIDENTIAL ZONES
 "SR" SUBURBAN RANCH ZONE

2.2.3 RESERVED.

2.2.4 "SR" SUBURBAN RANCH ZONE.

2.2.4.1 Purpose. This zone provides for very low density, large lot, single-family, residential development and suburban ranch uses. Uses which would adversely affect the open space, agricultural, or natural characteristics of this zone are not permitted.

2.2.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[C](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "[FLD-1](#)", subject to: the development regulations in Sec. [3.6.1](#) and Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00, Ord. No. 10636, §7, 2/24/09)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[C](#)", subject to: Sec. [3.5.7.8.B.1](#), .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Animal Production, generally, "[5](#)", subject to: Sec. [3.5.2.1.A.1](#), .B.2, and .C.1
 - a. Commercial stables "[2](#)", subject to: [3.5.2.1.A.2](#) and .B.2
2. Crop Production "[5](#)", subject to: Sec. [3.5.2.2](#)
3. General Farming "[5](#)", subject to: Sec. [3.5.2.1.A.1](#), .B.2, and .C.1 and Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[6](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[5](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[6](#)", subject to: Sec. [3.5.3.2](#)
4. Religious Use "[6](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Animal Service "[5](#)", subject to: Sec. [3.5.4.1.E](#)
2. Communications "[5](#)", subject to: Sec. [3.5.4.20.B](#), .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care

2. Recreation Use Group, Sec. [6.3.7](#)
 - a. Recreation
 3. Retail Trade Use Group, Sec. [6.3.10](#)
 - a. General Merchandise Sales
- D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. [3.5.6.1](#).
1. Commercial Services Use Group, Sec. [6.3.5](#)
 - a. Alcoholic Beverage Service, subject to Sec. [3.5.4.19.C](#)
 - b. Food Service, subject to: Sec. [3.5.4.6.C](#)
 - c. Personal Service
 2. Retail Trade Use Group, Sec. [6.3.10](#)
 - a. General Merchandise Sales
- E. The following is permitted as a Secondary Land Use to Crop Production, subject to: Sec. [3.5.9.1.A](#), .B.3, .C, .D, and .G.
1. Retail Trade Use Group, Sec. [6.3.10](#)
 - a. Food and Beverage Sales
- F. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. [3.5.10.2.A](#) and .B.1.
- G. The following is permitted as a Secondary Land Use to Educational Use.
1. Industrial Use Group, Sec. [6.3.6](#)
 - a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §1, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)

2.2.4.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#).

CITY OF TUCSON *LAND USE CODE*
 ARTICLE II. ZONES
 DIVISION 2. RURAL RESIDENTIAL ZONES
 "SH" SUBURBAN HOMESTEAD ZONE

2.2.5 RESERVED.

2.2.6 "SH" SUBURBAN HOMESTEAD ZONE.

2.2.6.1 Purpose and Applicability. This zone provides for low density, large lot, single-family, residential development and suburban ranch uses. This zone is solely to provide comparable zoning for annexed areas and is not intended for rezoning.

2.2.6.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[E](#)"
2. Family Dwelling "[FLD-3](#)", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §7, (2/24/09))
3. Mobile Home Dwelling "[E](#)"
4. Mobile Home Dwelling "[FLD-3](#)", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §7, (2/24/09))
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[E](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Animal Production, generally, "[9](#)", subject to: Sec [3.5.2.1](#).A.2, .B.2, .B.3, and .C.2
 - a. Commercial stables "[2](#)", subject to: Sec. [3.5.2.1](#).A.2 and .B.3
2. Crop Production "[9](#)", subject to: Sec. [3.5.2.2](#)
3. General Farming "[9](#)", subject to: Sec. [3.5.2.1](#).A.2, .B.2, .B.3, and .C.2 and Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[10](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[9](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[10](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
4. Religious Use "[10](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Animal Service "[5](#)", subject to: Sec. [3.5.4.1](#).E

DIVISION 3. URBAN RESIDENTIAL ZONES

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2.3.3	"RX-2" RESIDENCE ZONE
2.3.4	"R-1" RESIDENCE ZONE
2.3.5	"R-2" RESIDENCE ZONE
2.3.6	"R-3" RESIDENCE ZONE
2.3.7	"MH-1" MOBILE HOME ZONE
2.3.8	"MH-2" MOBILE HOME ZONE

2.3.1 RESERVED.

2.3.2 "RX-1" RESIDENCE ZONE.

2.3.2.1 Purpose. This zone provides for suburban, low density, single-family, residential development and other compatible neighborhood uses.

2.3.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[D](#)", subject to: Sec. [3.5.7.1](#).F (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "[FLD-2](#)", subject to: the development regulations in Sec. [3.6.1](#) and Sec. [3.5.7.1](#).F (Ord. No. 9443, §1, 11/27/00, Ord. No. 10636, §8, 2/24/09)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[D](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Animal Production "[9](#)", subject to: Sec. [3.5.2.1](#).A.1, .B.1, .B.2, and .C.1
2. Crop Production "[9](#)", subject to: Sec. [3.5.2.2](#)
3. General Farming "[9](#)", subject to: Sec. [3.5.2.1](#).A.1, .B.1, .B.2, and .C.1 and Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[9](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[9](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)

CITY OF TUCSON *LAND USE CODE*
 ARTICLE II. ZONES
 DIVISION 3. URBAN RESIDENTIAL ZONES
 "RX-1" RESIDENCE ZONE

3. Protective Service "9", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)

4. Religious Use "9"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "9", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)

2. Day Care "9"

a. Adult day care, subject to: Sec. [3.5.4.25](#).A

b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.1, and .G.2

3. Travelers' Accommodation, Lodging, "3"

E. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "1", subject to: Sec. [3.5.6.3](#)

2. Neighborhood Recreation "9", subject to: Sec. [3.5.13.2](#) and Sec. [3.5.13.3](#)

2.3.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "9", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

2. Day Care "9", subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

a. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.3, .G.6, and .H, or

b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .H, and .I

B. Residential Use Group, Sec. [6.3.8](#)

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4](#).B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "9", subject to: Sec. [3.5.7.8](#).B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

2.3.3 "RX-2" RESIDENCE ZONE.

2.3.3.1 Purpose. This zone provides for suburban, low density, single-family, residential development and other compatible neighborhood uses.

2.3.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[F](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "[FLD-3](#)", subject to: the development regulations in Sec. 3.6.1 and Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00, Ord. No. 10636, §8, 2/24/09)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[F](#)", subject to: Sec. [3.5.7.8.B.1](#), .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[14](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[13](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[13](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
4. Religious Use "[13](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[13](#)", subject to: Sec. [3.5.4.20.B](#), .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[13](#)"
 - a. Adult day care, subject to: Sec. [3.5.4.25.A](#)
 - b. Child care, subject to: Sec. [3.5.4.3.A](#), .B, .C, .D, .E, .F.1, and .G.3

E. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "[1](#)", subject to: Sec. [3.5.6.3](#)
2. Neighborhood Recreation "[13](#)", subject to: Sec. [3.5.13.2](#) and Sec. [3.5.13.3](#)

CITY OF TUCSON *LAND USE CODE*
 ARTICLE II. ZONES
 DIVISION 3. URBAN RESIDENTIAL ZONES
 "RX-2" RESIDENCE ZONE

2.3.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications, "[13](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[13](#)", subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
 - a. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
 - b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .H, and .I

B. Residential Use Group, Sec. [6.3.8](#)

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4](#).B, .E, .F, .G, .H, .I, .J, .K, .L, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[13](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[13](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.4, .D, and .G and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. [6.3.12](#)

1. Distribution System "[13](#)", subject to: Sec. [3.5.11.1](#).A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. [6.3.4](#)

1. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.3.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. [3.2.4](#) and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. [3.5.7.2](#)

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Sec. 2.3.3.4

2. Home Occupation: Day Care, subject to: Sec. [3.5.7.3](#)
 3. Home Occupation: Group Dwelling, subject to: Sec. [3.5.7.9.A](#), .C, and .D
 4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4.A](#), .E, .F, .G, .H, .I, .J, .K, and .L
- B. The following are permitted as Secondary Land Uses to Religious Use.
1. Civic Use Group, Sec. [6.3.4](#)
 - a. Cemetery, subject to: Sec. [3.5.3.1.D](#)
 2. Industrial Use Group, Sec. [6.3.6](#)
 - a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §2, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)
- C. Repealed. (Ord. No. 8808, §1, 1/27/97)
- D. The following are permitted as Secondary Land Uses to Golf Course, subject to: Sec. [3.5.6.1](#).
1. Commercial Services Use Group, Sec. [6.3.5](#)
 - a. Alcoholic Beverage Service, subject to: Sec. [3.5.4.19.C](#)
 - b. Food Service, subject to: Sec. [3.5.4.6.C](#)
 - c. Personal Service
 2. Retail Trade Use Group, Sec. [6.3.10](#)
 - a. General Merchandise Sales
- E. Hazardous Material Storage is permitted as a Secondary Land Use to a Permitted Land Use, subject to: Sec. [3.5.10.2.A](#) and .B.1.
- F. The following is permitted as a Secondary Land Use to Educational Use.
1. Industrial Use Group, Sec. [6.3.6](#)
 - a. Salvaging and Recycling, subject to: Sec. [3.5.5.6.A](#) and .C (Ord. No. 9915, §2, 11/24/03)
- (Ord. No. 8653, §1, 2/26/96)

2.3.3.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. [3.2.5](#)

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2.3.4 "R-1" RESIDENCE ZONE.

2.3.4.1 Purpose. This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment.

2.3.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed after each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[G](#)", subject to: Sec. [3.5.7.1](#).E, .F, .G, and .H (Ord. No. 8582, §1, 9/25/95; Ord. No. 9443, §1, 11/27/00; Ord. No. 9906, §1, 10/13/03)
2. Family Dwelling "[H](#)", subject to: Sec. [3.5.7.1](#)
3. Family Dwelling "[FLD-4](#)", subject to: the development regulations in Sec. 3.6.1 and Sec. [3.5.7.1](#).E and .F (Ord. No. 9138, §1, 10/5/98; Ord. No. 9443, §1, 11/27/00; Ord. No. 10636, §8, 2/24/09)
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[G](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.1, and .D (Ord. No. 9138, §1, 10/5/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[17](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[12](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[12](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
4. Religious Use "[12](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[17](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[17](#)"
 - a. Adult day care, subject to: Sec. [3.5.4.25](#).A
 - b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.1, and .G.4

E. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[12](#)", subject to: Sec. [3.5.13.2](#) and Sec. [3.5.13.3](#)

2.3.5 "R-2" RESIDENCE ZONE.

2.3.5.1 Purpose. This zone provides for medium density, single-family and multifamily, residential development, together with schools, parks, and other public services necessary for an urban residential environment.

2.3.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[I](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "[K](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
3. Family Dwelling "[FLD-6](#)", subject to: the development regulations in Sec. [3.6.1](#) and Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00, Ord. No. 10636, §8, 2/24/09)
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[I](#)", subject to: Sec. [3.5.7.8.B.1](#), .C.1, and .D (Ord. No. 9138, §1, 10/5/98)
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[41](#)", subject to: Sec. [3.5.7.8.B.1](#), .C.4, .D, and .G (Ord. No. 9138, §1, 10/5/98)
6. Residential Care Services: Rehabilitation Service - children's facilities "[41](#)", subject to: Sec. [3.5.7.8.A](#), .B.1, .C.1, and .D
7. Residential Care Services: Shelter Care - victims of domestic violence "[41](#)", subject to: Sec. [3.5.7.8.A](#), .B.1, .C.1, .D, and .I

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[41](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cemetery "[41](#)", subject to: Sec. [3.5.3.1.A](#)
2. Cultural Use "[12](#)", subject to: Sec. [3.5.3.2](#)
3. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
4. Postal Service "[12](#)", subject to: Sec. [3.5.3.2](#)
5. Protective Service "[12](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
6. Religious Use "[12](#)"

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D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[8](#)", subject to: Sec. [3.5.3.2](#)
2. Communications "[41](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care "[41](#)"
 - a. Adult day care, subject to: Sec. [3.5.4.25](#).A
 - b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.1, and .G.4 (Ord. No. 8808, §1, 1/27/97)

E. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[12](#)", subject to: Sec. [3.5.13.2](#) and Sec. [3.5.13.3](#)

2.3.5.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[41](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[41](#)", subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
 - a. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.3, .G.6, and .H, or
 - b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .H, and .I
3. Medical Service "[19](#)", subject to: Sec. [3.5.4.8](#).B, Sec. [3.5.4.9](#).A, .B.1, .C, and .D, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Residential Use Group, Sec. [6.3.8](#)

1. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4](#).C, .E, .F, .G, .H, .I, .J, .K, .L, .M, and .N and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[41](#)", subject to: Sec. [3.5.7.8](#).B.1, .C.2, and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9967, §2, 7/1/04)
3. Residential Care Services: Rehabilitation Service or Shelter Care "[41](#)", subject to: Sec. [3.5.7.8](#).A, .B.1, .C.2, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53, or (Ord. No. 9967, §2, 7/1/04)

2.3.6 "R-3" RESIDENCE ZONE.

2.3.6.1 Purpose. This zone provides for high density, residential development and compatible uses.

2.3.6.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[I](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9077, §1, 6/22/98; Ord. No. 9443, §1, 11/27/00)
2. Family Dwelling "[P](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
3. Family Dwelling "[FLD-7](#)", subject to: the development regulations in Sec. [3.6.1](#) and Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00, Ord. No. 10636, §8, 2/24/09)
4. Group Dwelling "[30](#)", subject to: Sec. [3.5.7.1.F](#) (Ord. No. 9443, §1, 11/27/00)
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[P](#)", subject to: Sec. [3.5.7.8.C.1](#) and .D
6. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[30](#)", subject to: Sec. [3.5.7.8.C.4](#), .D, and .H (except no minimum lot size)
7. Residential Care Services: Rehabilitation Service - children's facilities "[18](#)", subject to: Sec. [3.5.7.8.A](#), .B.2, .C.1, and .D
8. Residential Care Services: Shelter Care - victims of domestic violence "[18](#)", subject to: Sec. [3.5.7.8.A](#), .B.2, .C.3, .D, and .I

(Ord. No. 9077, §1, 6/22/98)

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[30](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cemetery "[30](#)", subject to: Sec. [3.5.3.1.A](#)
2. Civic Assembly "[18](#)", subject to: Sec. [3.5.3.2](#)
3. Cultural Use "[18](#)", subject to: Sec. [3.5.3.2](#)
4. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
5. Postal Service "[18](#)", subject to: Sec. [3.5.3.2](#)
6. Protective Service "[18](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)

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7. Religious Use "[18](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[7](#)", subject to: Sec. [3.5.3.2](#)
2. Communications "[30](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care
 - a. Adult day care "[30](#)", subject to: Sec. [3.5.4.25](#).B
 - b. Child care "[18](#)", subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.2, and .G.5

E. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[18](#)", subject to: Sec. [3.5.13.2](#) and Sec. [3.5.13.3](#)

2.3.6.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Residential Use Group, Sec. [6.3.8](#)

1. Residential Care Services: Rehabilitation Service or Shelter Care "[18](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.3, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04), or
2. Residential Care Services: Rehabilitation Service or Shelter Care "[18](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

B. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[30](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[18](#)", subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)
 - a. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.3, .G.7, and .H, or
 - b. Child care, subject to: Sec. [3.5.4.3](#).A, .B, .H, and .I
3. Medical Service "[30](#)", subject to: Sec. [3.5.4.8](#).B, Sec. [3.5.4.9](#).A, .B.1, .C, and .D, and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. [6.3.12](#)

1. Distribution System "[18](#)", subject to: Sec. [3.5.11.1](#).A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

2.3.7 "MH-1" MOBILE HOME ZONE.

2.3.7.1 Purpose. This zone provides for low to medium density, residential development primarily in mobile home structures on individual lots and within mobile home parks. Civic, educational, recreational, and religious uses are also permitted to provide for an urban residential environment.

2.3.7.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Mobile Home Dwelling "[G](#)"
2. Mobile Home Dwelling "[M](#)"
3. Mobile Home Dwelling "[FLD-4](#)", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §8, 2/24/09)
4. Family Dwelling "[G](#)"
5. Family Dwelling "[M](#)"
6. Family Dwelling "[FLD-4](#)", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §8, 2/24/09)
7. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[G](#)", subject to: Sec. [3.5.7.8](#).C.1 and .D

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[17](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[12](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[12](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
4. Religious Use "[12](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[17](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
2. Day Care "[17](#)"
 - a. Adult day care, subject to: Sec. [3.5.4.25](#).A

2.3.8 "MH-2" MOBILE HOME ZONE.

2.3.8.1 Purpose. This zone provides for medium density, residential development in mobile home structures on individual lots and within mobile home parks. Civic, educational, recreational, and religious uses are also permitted to provide for an urban residential environment.

2.3.8.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Residential Use Group, Sec. [6.3.8](#)

1. Mobile Home Dwelling "[I](#)"
2. Mobile Home Dwelling "[K](#)"
3. Mobile Home Dwelling "[FLD-5](#)", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §8, 2/24/09)
4. Family Dwelling "[I](#)"
5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[I](#)", subject to: Sec. [3.5.7.8](#).C.1 and .D

B. Agricultural Use Group, Sec. [6.3.3](#)

1. Crop Production "[41](#)", subject to: Sec. [3.5.2.2](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[12](#)", subject to: Sec. [3.5.3.2](#)
2. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
3. Protective Service "[12](#)", subject to: Sec. [3.5.3.2](#) and Sec. [3.5.13.6](#)
4. Religious Use "[12](#)"

D. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[8](#)", subject to: Sec. [3.5.3.2](#)
2. Communications "[41](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)

E. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[12](#)", subject to: Sec. [3.5.13.2](#) and [3.5.13.3](#)

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2.3.8.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[41](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

B. Utilities Use Group, Sec. [6.3.12](#)

1. Distribution System "[41](#)", subject to: Sec. [3.5.11.1](#).A, .B, .E, .H, .I, and .K and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

C. Civic Use Group, Sec. [6.3.4](#)

1. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9075, §1, 6/15/98)

2.3.8.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. [3.2.4](#) and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Mobile Home Dwelling or Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. [3.5.7.2](#)
2. Home Occupation: Day Care, subject to: Sec. [3.5.7.3](#)
3. Home Occupation: Group Dwelling, subject to: Sec. [3.5.7.9](#).B, .C, and .D
4. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4](#).B, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following is permitted as a Secondary Land Use to Mobile Home Dwelling in a mobile home park.

1. Commercial Services Use Group, Sec. [6.3.5](#)
 - a. Travelers' Accommodation, Campsite, subject to: Sec. [3.5.7.11](#)

C. The following are permitted as Secondary Land Uses to Mobile Home Dwelling in a mobile home park of one hundred (100) spaces or more.

DIVISION 4. OFFICE ZONES

SECTIONS:

- 2.4.1 "O-1" OFFICE ZONE**
2.4.2 "O-2" OFFICE ZONE
2.4.3 "O-3" OFFICE ZONE
-

2.4.1 "O-1" OFFICE ZONE.

2.4.1.1 Purpose. This zone provides for administrative and professional office uses that will complement the residential environment. Development within this zone typically consists of office conversions from existing residential uses fronting on major streets and new construction of small-scale office projects. Consolidation of lots is encouraged in order to reduce curb cuts on arterial streets and to assure compliance with the design and development criteria of this zone.

2.4.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[26](#)", subject to: Sec. [3.5.4.11](#)
2. Communications "[26](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Medical Service - Outpatient "[26](#)", subject to: Sec. [3.5.4.8](#).A and .B, Sec. [3.5.4.9](#).A, and Sec. [3.5.4.11](#)

B. Residential Use Group, Sec. [6.3.8](#)

2. Family Dwelling "FLD-8," subject to Sec. 3.6.1 (Ord. No. 10636, §9, 2/24/09)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[26](#)", subject to: Sec. [3.5.7.8](#).C.1 and .D

2.4.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[7](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

B. Residential Use Group, Sec. [6.3.8](#)

1. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[12](#)", subject to: Sec. [3.5.7.8](#).C.2 and .D and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[7](#)", subject to: Sec. [3.5.7.8](#).C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. [6.3.12](#)

1. Distribution System "[12](#)", subject to: Sec. [3.5.11.1](#).A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. [6.3.4](#)

1. Cultural Use "[12](#)", subject to: Sec. [3.5.3.5](#).B, .C, .D, .E, .F, .G, and .H and approval through a Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and [5.4.3](#). (Ord. No. 9967, §2, 7/1/04)

(Ord. No. 9336, §1, 12/13/99)

2.4.1.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. [3.2.4](#) and to any additional requirements listed with the use. (Ord. No. 8653, §1, 2/26/96)

A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.

1. Home Occupation: General Application, subject to: Sec. [3.5.7.2](#)
2. Home Occupation: Day Care, subject to: Sec. [3.5.7.3](#)
3. Home Occupation: Travelers' Accommodation, Lodging, subject to: Sec. [3.5.7.4](#).A, .E, .F, .G, .H, .I, .J, .K, and .L

B. The following may be permitted as Secondary Land Uses to Cultural Use.

1. Commercial Services Use Group, Sec. [6.3.5](#)
 - a. Food Service, subject to: Sec. [3.5.4.6](#).A and .C and approval through a Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and [5.4.3](#). (Ord. No. 9967, §2, 7/1/04)
 - b. Alcoholic Beverage Service, subject to: Sec. [3.5.4.19](#).C, Sec. [3.5.4.7](#).D and .J, and approval through a Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and [5.4.3](#). (Ord. No. 9967, §2, 7/1/04)
 - c. Entertainment, subject to: Sec. [3.5.4.4](#).F and approval through a Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and [5.4.3](#). (Ord. No. 9967, §2, 7/1/04)
2. Retail Trade Use Group, Sec. [6.3.10](#)
 - a. General Merchandise Sales, subject to: Sec. [3.5.9.2](#).A and .B

(Ord. No. 9336, §1, 12/13/99)

2.4.2 "O-2" OFFICE ZONE.

2.4.2.1 Purpose. This zone provides for office, medical, civic, and other land uses which provide reasonable compatibility with adjoining residential uses. Typical development within this zone is two-story office or medical projects.

2.4.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[27](#)"
2. Communications "[27](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care, subject to: Sec. [3.5.13.5](#)
 - a. Adult day care "[27](#)"
 - b. Child care "[15](#)", subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.1, and .G.4
4. Medical Service - Extended Health Care "[27](#)", subject to: Sec. [3.5.13.5](#) (Ord. No. 9138, §1, 10/5/98)
5. Medical Service - Major "[27](#)", subject to: Sec. [3.5.4.9](#).A
6. Medical Service - Outpatient "[27](#)", subject to: Sec. [3.5.4.8](#).A and .B and Sec. [3.5.4.9](#).A
(Ord. No. 9138, §1, 10/5/98)

B. Civic Use Group, Sec. [6.3.4](#)

1. Civic Assembly "[11](#)"
2. Cultural Use "[11](#)", subject to: Sec. [3.5.3.2](#)
3. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.3.7](#) and Sec. [3.5.13.5](#) (Ord. No. 9075, §1, 6/15/98)
4. Educational Use: Postsecondary Institution "[11](#)", subject to: Sec. [3.5.3.3](#) and Sec. [3.5.13.5](#)
5. Postal Service "[27](#)", subject to: Sec. [3.5.3.2](#)
6. Protective Service "[27](#)", subject to: Sec. [3.5.3.2](#)
7. Religious Use "[11](#)"

C. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[27](#)", subject to: Sec. [3.5.13.5](#)

CITY OF TUCSON *LAND USE CODE*
 ARTICLE II. ZONES
 DIVISION 4. OFFICE ZONES
 "O-2" OFFICE ZONE

D. Residential Use Group, Sec. [6.3.8](#)

2. Family Dwelling "FLD-8", subject to Sec. 3.6.1 (Ord. No. 10636, §9, 2/24/09)
3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[27](#)", subject to: Sec. [3.5.7.8](#).C.1 and .D
4. Residential Care Services: Rehabilitation Service - children's facilities "[27](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.1, and .D
5. Residential Care Services: Shelter Care - victims of domestic violence "[27](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.2, .D, and .G

2.4.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[11](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)
2. Day Care, subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
 - a. Child care "[15](#)", subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.1, .G.4, and .H
 - b. Child care "[20](#)", subject to: Sec. [3.5.4.3](#).A, .B, and .I

B. Residential Use Group, Sec. [6.3.8](#)

1. Residential Care Services: Rehabilitation Service or Shelter Care "[12](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.2, .D, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)
2. Residential Care Services: Rehabilitation Service or Shelter Care "[7](#)", subject to: Sec. [3.5.7.8](#).A, .B.2, .C.4, .D, and .H and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

C. Utilities Use Group, Sec. [6.3.12](#)

1. Distribution System "[27](#)", subject to: Sec. [3.5.11.1](#).A, .E, and .I and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

D. Civic Use Group, Sec. [6.3.4](#)

1. Educational Use: Elementary and Secondary Schools "[11](#)", subject to: Sec. [3.5.13.5](#) and approval through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53 (Ord. No. 9967, §2, 7/1/04)

2.4.3 "O-3" OFFICE ZONE.

2.4.3.1 Purpose. This zone provides for mid-rise office development and other land uses which provide reasonable compatibility with adjoining residential uses.

2.4.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Administrative and Professional Office "[30](#)"
2. Communications "[30](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
3. Day Care, subject to: Sec. [3.5.13.5](#)
 - a. Adult day care "[30](#)"
 - b. Child care "[16](#)", subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .F.1, and .G.5, or
 - c. Child care "[16](#)", subject to: Sec. [3.5.4.3](#).A, .B, .C, .D, .E, .F.2, and .G.7
4. Medical Service - Extended Health Care "[30](#)", subject to: Sec. [3.5.13.5](#) (Ord. No. 9138, §1, 10/5/98)
5. Medical Service - Major "[30](#)", subject to: Sec. [3.5.4.9](#).A
6. Medical Service - Outpatient "[30](#)", subject to: Sec. [3.5.4.8](#).B
7. Research and Product Development "[27](#)", subject to: Sec. 3.5.4.14
(Ord. No. 9138, §1, 10/5/98)

B. Civic Use Group, Sec. [6.3.4](#)

1. Cemetery "[3](#)", subject to: Sec. [3.5.3.1](#).A and Sec. [3.5.13.5](#)
2. Civic Assembly "[18](#)"
3. Cultural Use "[18](#)", subject to: Sec. [3.5.3.2](#)
4. Educational Use: Elementary and Secondary Schools "[18](#)", subject to: Sec. [3.5.3.7](#) and Sec. [3.5.13.5](#) (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Postsecondary Institution "[18](#)", subject to: Sec. [3.5.3.3](#) and Sec. [3.5.13.5](#)
6. Postal Service "[18](#)", subject to: Sec. [3.5.3.2](#)
7. Protective Service "[18](#)", subject to: Sec. [3.5.3.2](#)

8. Religious Use "[18](#)"

C. Recreation Use Group, Sec. [6.3.7](#)

1. Neighborhood Recreation "[18](#)", subject to: Sec. [3.5.13.5](#)

D. Residential Use Group, Sec. [6.3.8](#)

1. Family Dwelling "[L](#)"

2. Family Dwelling "[FLD-8](#)", subject to: the development regulations in Sec. 3.6.1 (Ord. No. 10636, §9, 2/24/09)

3. Family Dwelling within the Rio Nuevo and Downtown Zone "[J](#)" (Ord. No. 9780, §1, 10/14/02)

4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[30](#)", subject to: Sec. [3.5.7.8](#).C.1 and .D (Ord. No. 9138, §1, 10/5/98)

5. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[30](#)", subject to: Sec. [3.5.7.8](#).C.4, .D, and .H

6. Residential Care Services: Rehabilitation Service - children's facilities "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.1, and .D

7. Residential Care Services: Shelter Care - victims of domestic violence "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.3, and .D

8. Residential Care Services: Rehabilitation Service or Shelter Care "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.4, .D, .F, and .H

(Ord. No. 9138, §1, 10/5/98; Ord. No. 9780, §1, 10/14/02)

2.4.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#). For further information concerning Special Exception Land Use applicability, refer to Sec. [5.3.9](#). (Ord. No. 8653, §1, 2/26/96)

A. Commercial Services Use Group, Sec. [6.3.5](#)

1. Communications "[7](#)", limited to wireless communication towers and antennae, subject to: Sec. [3.5.4.20](#).B, .C, and .E.2, or Sec. [3.5.4.20](#).B, .C, and .F.1, or Sec. [3.5.4.20](#).B, .C, and .G (Ord. No. 8813, §1, 3/3/97)

2.5.3 "C-1" COMMERCIAL ZONE.

2.5.3.1 Purpose. This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and other related uses are permitted.

2.5.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

A. Commercial Services Use Group, Sec. [6.3.5](#)

All Commercial Services Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Administrative and Professional Office "[29](#)"
2. Animal Service "[28](#)", subject to: Sec. [3.5.4.1](#).A, .B, .C, and .D
*Artisan Residence, See [2.5.3.2](#).A.17 (Ord. No. 10477, §2, 11/13/07)
3. Communications "[28](#)", subject to: Sec. [3.5.4.20](#).B, .C, and .D.1 or .D.2 (Ord. No. 8813, §1, 3/3/97)
4. Day Care "[29](#)"
5. Entertainment "[28](#)", subject to: Sec. [3.5.4.19](#).C
6. Financial Service "[28](#)", subject to: Sec. [3.5.4.5](#).A and C (Ord. No. 10252, §1, 2/28/06)
7. Food Service "[28](#)", subject to: Sec. [3.5.4.6](#).A and .C
8. Medical Service - Extended Health Care "[29](#)", subject to: Sec. [3.5.13.5](#) (Ord. No. 9138, §1, 10/5/98)
9. Medical Service - Major "[29](#)" (Ord. No. 9138, §1, 10/5/98)
10. Medical Service - Outpatient "[29](#)", subject to: Sec. [3.5.4.8](#).B (Ord. No. 9138, §1, 10/5/98)
11. Parking "[29](#)"
12. Personal Service "28", subject to: Sec. [3.5.4.13](#).A
13. Research and Product Development "16"
14. Technical Service "[28](#)", subject to: Sec. [3.5.4.16](#).A
15. Trade Service and Repair, Minor, "[28](#)", subject to: Sec. [3.5.4.27](#) (Ord. No. 8653, §1, 2/26/96)
16. Travelers' Accommodation, Lodging, "[29](#)"
(Ord. No. 8653, §1, 2/26/96; Ord. No. 9138, §1, 10/5/98)
17. Artisan Residence, "[33](#)", subject to: Sec. [3.5.4.28](#).A, .B, .C, .D, and .E (Ord. No. 10477, §2, 11/13/07)

B. Retail Trade Use Group, Sec. [6.3.10](#)

All Retail Trade Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Food and Beverage Sales "[28](#)"
2. General Merchandise Sales "[28](#)", subject to: Sec. [3.5.9.2.C](#)

C. Civic Use Group, Sec. [6.3.4](#)

1. Cemetery "3", subject to: Sec. [3.5.3.1.A](#) and Sec. [3.5.13.5](#)
2. Civic Assembly "[28](#)"
3. Cultural Use "[28](#)", subject to: Sec. [3.5.3.2](#)
4. Educational Use: Elementary and Secondary Schools "[28](#)", subject to: Sec. [3.5.3.7](#) and Sec. [3.5.13.5](#) (Ord. No. 9075, §1, 6/15/98)
5. Educational Use: Instructional School "[28](#)"
6. Educational Use: Postsecondary Institution "[28](#)", subject to: Sec. [3.5.3.3](#)
7. Membership Organization "[28](#)"
8. Postal Service "[28](#)", subject to: Sec. [3.5.3.2](#)
9. Protective Service "[28](#)", subject to: Sec. [3.5.3.2](#)
10. Religious Use "[28](#)"

D. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "1", subject to: Sec. [3.5.6.3](#) and Sec. [3.5.13.5](#)
2. Neighborhood Recreation "[28](#)", subject to: Sec. [3.5.13.5](#)
3. Recreation "[28](#)"

E. Residential Use Group, Sec. [6.3.8](#)

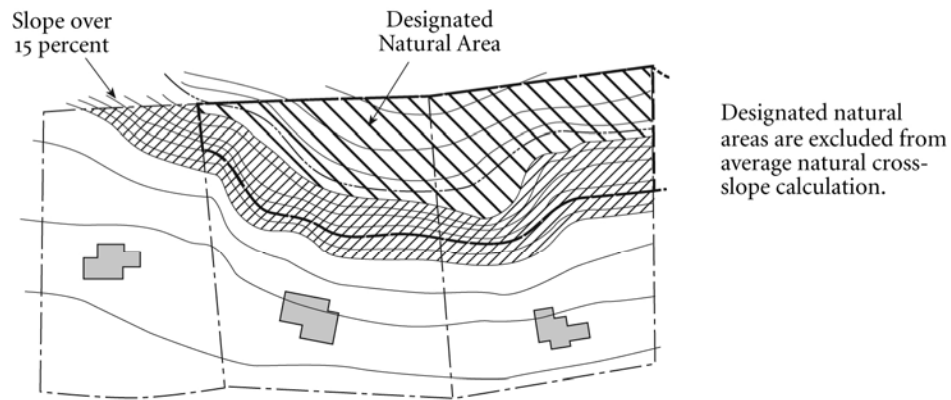
1. Family Dwelling "O"
2. Family Dwelling "FLD-9", subject to: the development regulations in Sec. [3.6.1](#) (Ord. No. 10636, §10, 2/24/09)
3. Group Dwelling "17"
4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[29](#)", subject to: Sec. [3.5.7.8.C.4](#), .D, and .H (no minimum lot size)
5. Residential Care Services: Rehabilitation Service - children's facilities "K", subject to: Sec. [3.5.7.8.A](#), .C.1, and .D
6. Residential Care Services: Shelter Care - victims of domestic violence "K", subject to: Sec. [3.5.7.8.A](#), .C.3, and .D

21. Trade Service and Repair, Minor, "[30](#)"
 22. Transportation Service, Land Carrier, "[31](#)", subject to: Sec. [3.5.13.5](#)
 23. Travelers' Accommodation, Lodging, "[31](#)", subject to: Sec. [3.5.13.5](#)
 24. Artisan Residence, "[33](#)", subject to: Sec. 3.5.4.28.A, .B, .C, .D, and .E (Ord. No. 10477, §3, 11/13/07)
- B. Retail Trade Use Group, Sec. [6.3.10](#)
1. Construction Material Sales "[31](#)"
 2. Food and Beverage Sales "[31](#)"
 3. General Merchandise Sales "[31](#)", subject to: Sec. [3.5.9.2.A](#)
 4. Heavy Equipment Sales "[30](#)", subject to: Sec. [3.5.9.3](#)
 5. Swap Meets and Auctions "[30](#)", subject to: Sec. [3.5.9.4](#)
 6. Vehicle Rental and Sales "[31](#)", subject to: Sec. [3.5.9.5.A](#) and .B (Ord. No. 8653, §1, 2/26/96)
- C. Civic Use Group, Sec. [6.3.4](#)
1. Civic Assembly "[31](#)"
 2. Correctional Use: Supervision Facility "[8](#)", subject to: Sec. [3.5.3.4.B.1](#), .3.a, .4.b, .5.a, .8, and .10
 3. Cultural Use "[31](#)"
 4. Educational Use: Elementary and Secondary Schools "[31](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
 5. Educational Use: Postsecondary Institution "[31](#)", subject to: Sec. [3.5.3.3](#)
 6. Educational Use: Instructional School "[31](#)"
 7. Membership Organization "[30](#)"
 8. Postal Service "[31](#)"
 9. Protective Service "[31](#)"
 10. Religious Use "[31](#)"
- D. Industrial Use Group, Sec. [6.3.6](#)
1. Craftwork "[30](#)"
 2. Processing and Cleaning "[30](#)"
 3. Salvaging and Recycling "[30](#)", subject to: Sec. [3.5.5.6.B](#), .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
- E. Recreation Use Group, Sec. [6.3.7](#)

1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. [3.5.13.5](#)
 2. Neighborhood Recreation "[30](#)"
 3. Recreation "[31](#)"
- F. Residential Use Group, Sec. [6.3.8](#)
1. Family Dwelling "R"
 2. Family Dwelling "FLD-10", subject to: the development regulations in Sec. [3.6.1](#) (Ord. 10636, §10, 2/24/09)
 3. Group Dwelling "[30](#)"
 4. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[30](#)", subject to: Sec. [3.5.7.8](#).C.4, .D, and .H (no minimum lot size)
 5. Residential Care Services: Rehabilitation Service - children's facilities "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.1, and .D
 6. Residential Care Services: Shelter Care - victims of domestic violence "[30](#)", subject to: Sec. [3.5.7.8](#).A, .C.3, and .D
 7. Residential Care Services: Rehabilitation Service or Shelter Care "[31](#)", subject to: Sec. [3.5.7.8](#).A, .C.4, .D, .F, and .H (no minimum lot size)
- G. Restricted Adult Activities Use Group, Sec. [6.3.9](#), subject to: Sec. [3.5.8.1](#)
1. Adult Commercial Services "[30](#)"
 2. Adult Recreation "[30](#)"
 3. Adult Retail Trade "[30](#)"
- H. Storage Use Group, Sec. [6.3.11](#)
1. Commercial Storage "[31](#)", subject to: Sec. [3.5.10.1](#)
 2. Personal Storage "[31](#)", subject to: Sec. [3.5.10.3](#).C and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)
- I. Utilities Use Group, Sec. [6.3.12](#)
1. Distribution System "[30](#)", subject to: Sec. [3.5.11.1](#).A, .E, and .I
- J. Wholesaling Use Group, Sec. [6.3.13](#)
1. Business Supply and Equipment Wholesaling "[31](#)"
 2. Construction/Heavy Equipment Wholesaling "[31](#)"
 3. Food and Beverage Wholesaling "[31](#)"

19. Research and Product Development "[34](#)"
 20. Technical Service "[34](#)", subject to: Sec. [3.5.4.16.B](#)
 21. Trade Service and Repair, Major, "[33](#)", subject to: Sec. [3.5.4.15](#)
 22. Trade Service and Repair, Minor, "[33](#)"
 23. Transportation Service, Land Carrier, "[34](#)"
 25. Travelers' Accommodation, Lodging, "[34](#)"
 25. Artisan Residence, "[33](#)", subject to: Sec. 3.5.4.28.A, .B, .C, .D, and .E (Ord. No. 10477, §4, 11/13/07)
- B. Retail Trade Use Group, Sec. [6.3.10](#)
1. Construction Material Sales "[34](#)"
 2. Food and Beverage Sales "[34](#)"
 3. General Merchandise Sales "[34](#)", subject to: Sec. [3.5.9.2.A](#)
 4. Heavy Equipment Sales "[33](#)", subject to: Sec. [3.5.9.3](#)
 5. Swap Meets and Auctions "[33](#)", subject to: Sec. [3.5.9.4](#)
 6. Vehicle Rental and Sales "[34](#)", subject to: Sec. [3.5.9.5.A](#) and .B (Ord. No. 8653, §1, 2/26/96)
- C. Civic Use Group, Sec. [6.3.4](#)
1. Civic Assembly "[34](#)"
 2. Correctional Use: Supervision Facility "[8](#)", subject to: Sec. [3.5.3.4.B.1](#), .3.a, .4.b, .5.a, .8, and .10
 3. Cultural Use "[34](#)"
 4. Educational Use: Elementary and Secondary Schools "[34](#)", subject to: Sec. [3.5.3.7](#) (Ord. No. 9075, §1, 6/15/98)
 5. Educational Use: Instructional School "[34](#)"
 6. Educational Use: Postsecondary Institution "[34](#)", subject to: Sec. [3.5.3.3](#)
 7. Membership Organization "[33](#)"
 8. Postal Service "[34](#)"
 9. Protective Service "[34](#)"
 10. Religious Use "[34](#)"

- D. Industrial Use Group, Sec. [6.3.6](#)
1. Craftwork "[33](#)"
 2. Processing and Cleaning "[33](#)"
 3. Salvaging and Recycling "[33](#)", subject to: Sec. [3.5.5.6.B](#), .C, and .E (Ord. No. 8653, §1, 2/26/96; Ord. No. 9915, §4, 11/24/03)
 4. Salvaging and Recycling, limited to household goods donation center, "[33](#)", subject to: Sec. [3.5.5.6.B](#), .F, .G, .H, .I, .J, and .K; Sec. [3.5.13.3](#); and Sec. [3.5.13.4](#) (Ord. No. 9915, §4, 11/24/03)
- E. Recreation Use Group, Sec. [6.3.7](#)
1. Golf Course "1", subject to: Sec. 3.5.6.3 and Sec. [3.5.13.5](#)
 2. Neighborhood Recreation "[33](#)"
 3. Recreation "[34](#)"
- F. Residential Use Group, Sec. [6.3.8](#)
1. Family Dwelling "R"
 2. Family Dwelling "FLD-10", subject to: the development regulations in Sec. 3.6.1 (Ord. No. 10636, §10, 2/24/09)
 3. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service "[33](#)", subject to: Sec. [3.5.7.8.C.4](#) and .D
 4. Residential Care Services: Rehabilitation Service - children's facilities "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.1, and .D
 5. Residential Care Services: Shelter Care - victims of domestic violence "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.3, and .D
 6. Residential Care Services: Rehabilitation Service or Shelter Care "[33](#)", subject to: Sec. [3.5.7.8.A](#), .C.4, .D, .F, and .H (no minimum lot size)
- G. Restricted Adult Activities Use Group, Sec. [6.3.9](#), subject to: Sec. [3.5.8.1](#)
1. Adult Commercial Services "[33](#)"
 2. Adult Recreation "[33](#)"
 3. Adult Retail Trade "[33](#)"
- H. Storage Use Group, Sec. [6.3.11](#)
1. Commercial Storage "[34](#)", subject to: Sec. [3.5.10.1](#)
 2. Personal Storage "[34](#)", subject to: Sec. [3.5.10.3.C](#) and .F (Ord. No. 8653, §1, 2/26/96; Ord. No. 9631, §1, 12/10/01)



2.8.1.6 Natural Areas in HDZ

B. *Multifamily Residential Development.*

1. The ACS is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A, B, C, and D of Table 2.8.1-I apply.
2. Natural areas may be designated on the lot or parcel, in accordance with Sec. 2.8.1.7, to reduce the ACS percentage. Such natural areas will be excluded from the ACS calculation but will be included for the density calculation. (See Illustration 2.8.1.6.)
 - a. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent and contains no areas of fifteen (15) percent or greater slope, one hundred (100) percent of that portion may be graded, subject to Development Standard 9-04.0.
 - b. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent but contains areas of fifteen (15) percent or greater slope, eighty (80) percent of that portion may be graded.
 - c. If the ACS of the remaining portion of the lot or parcel is fifteen (15) percent or greater, Columns B, C, and D of Table 2.8.1-I apply, based on the entire area of the lot or parcel.

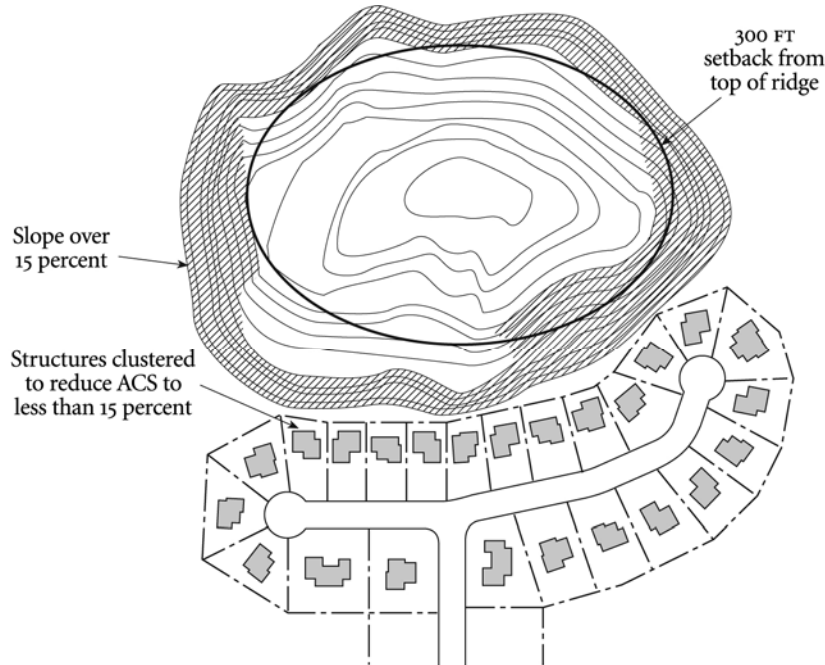
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TABLE 2.8.1-I			
A	B	C	D
Average Natural Cross Slope (Percent)	Minimum Area* Acre	Density*	Maximum Grading (Percent)
Less Than 15	As Permitted by Underlying Zoning		
15.0-15.9	1.00	1.00	40.0
16.0-16.9	1.00	1.00	40.0
17.0-17.9	1.25	0.80	32.0
18.0-18.9	1.37	0.73	29.2
19.0-19.9	1.50	0.67	21.3
20.0-20.9	2.00	0.50	20.0
21.0-21.9	2.25	0.44	17.7
22.0-22.9	2.50	0.40	16.0
23.0-23.9	3.50	0.29	13.3
24.0-24.9	4.50	0.22	11.9
25.0-25.9	6.00	0.17	9.3
26.0-26.9	7.00	0.14	9.3
27.0-27.9	8.60	0.12	9.3
28.0-28.9	10.40	0.09	9.3
29.0-29.9	12.80	0.08	9.3
30.0-30.9	16.00	0.06	8.8
31.0-31.9	23.50	0.04	6.7
32.0-32.9	31.00	0.03	6.7
33.0 and Greater	36.00	0.027	4.0

*Or as permitted by underlying zoning, whichever is more restrictive.

C. *Flexible Lot Development (FLD)*. The purpose of the FLD in the HDZ is to preserve the sloped areas while encouraging development on the flatter portions of a lot or parcel. An FLD must meet the requirements of Sec. 3.6.1, FLD, as well as the following criteria. (*See Illustration 2.8.1.6.C.*)

1. All structures must be located outside the three hundred (300) foot protected peak or ridge setback area, and the protected area must be preserved as a natural area as listed in Sec. 2.8.1.7.
2. The FLD application may be used for either single-family or multifamily development. In order to apply the FLD, the Average Cross Slope (ACS) of the area to be developed must be less than fifteen (15) percent. This may require excluding steeper slopes as natural areas in order to reduce the ACS of the remaining portion. Such natural areas will be excluded from the ACS calculation but will be included for density calculation. Density is regulated by the underlying zone, based on the entire area.
3. For property within the Hillside Development Zone (HDZ), sloped areas in excess of 15% with an area greater than or equal to 7,000 square feet shall be delineated and set aside as Natural Undisturbed Open Space and designated as common area.



2.8.1.6.C Flexible Lot Development

(Ord. No. 10636, §1, 2/24/09)

D. *Nonresidential Development.*

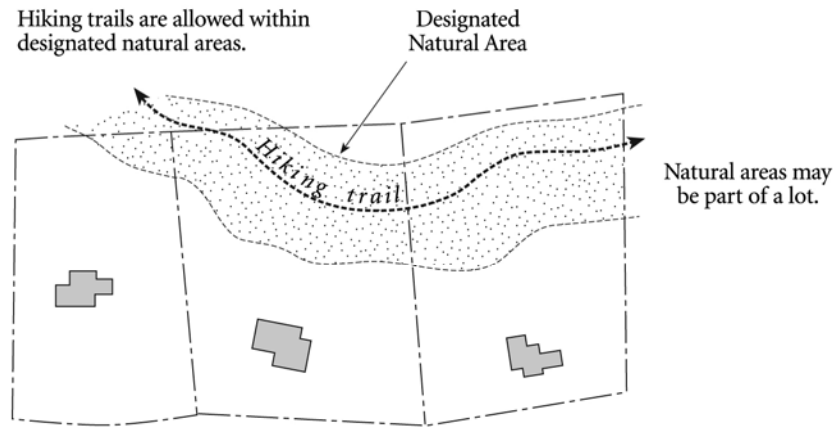
1. The ACS is calculated for the entire lot or parcel. If the ACS is fifteen (15) percent or greater, Columns A, B, and D of Table 2.8.1-I apply. Column C does not apply.
2. Natural areas may be designated on the lot or parcel, in accordance with Sec. 2.8.1.7, to reduce the ACS percentage.
 - a. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent and contains no areas of fifteen (15) percent or greater slope, one hundred (100) percent of that portion may be graded, subject to Development Standard 9-01.0. (Ord. No. 9967, §2, 7/1/04)
 - b. If the ACS of the remaining portion of the lot or parcel is less than fifteen (15) percent but contains areas of fifteen (15) percent or greater slope, eighty (80) percent of that portion may be graded.
 - c. If the ACS of the remaining portion of the lot or parcel is fifteen (15) percent or greater, Columns B and D of Table 2.8.1-I apply, based on the entire area of the lot or parcel.

- E. *Mixed Development.* When a mix of development is proposed, each type of development must meet all criteria for that development, as required by this Section.

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2.8.1.7 Natural Areas. Natural areas may be designated on any lot or parcel, subject to the following criteria.

- A. Development other than hiking trails will not be permitted within the legally described boundaries of a natural area. (*See Illustration 2.8.1.7.*)



2.8.1.7 Hiking Trails in Designated Natural Areas in HDZ

- B. The natural area will be delineated in a surveyable manner on the tentative and final plats of a subdivision or on the development plan required for development other than a subdivision and designated by legal description on a document recorded with the Pima County Recorder for a lot division.
- C. A natural area may be designated as a deed-restricted portion of a privately-owned lot or as a separate parcel. This parcel may be under the ownership of a homeowners' association or deeded to any organization willing to accept responsibility for the perpetual preservation of the natural area, subject to approval and acceptance by the City of Tucson. (*See Illustration 2.8.1.6.*)
- D. To protect the natural areas, covenants which run with the land will be provided in favor of the City of Tucson and of all owners with record interest in the natural area.
- E. If natural areas are designated, then at least one (1) such natural area, if in a parcel of four (4) acres or more in size, shall be at least one-half ($\frac{1}{2}$) acre in size or immediately adjacent and contiguous to other land also designated as natural area which, in the aggregate, is at least one-half ($\frac{1}{2}$) acre in size. Sec. 2.8.1.7 applies only to natural areas and not to other common areas and open spaces, such as recreation areas, road medians, etc., which are not designated as required natural area.

2.8.1.8 Hillside Site Improvement Standard.

- A. *Building Height.* Buildings are limited to a building height of twenty-four (24) feet for residential development and thirty (30) feet for nonresidential development or the maximum height permitted by the underlying zone, whichever is more restrictive. If the building also falls within the boundaries of other overlay zones, the more restrictive of the requirements applies. (*See Illustration 2.8.1.8.*)

2.8.5.5 Compatible Use Zones for the TIA Environs. Land use regulations within the Compatible Use Zones are as follows. (Ord No. 10073, §1, 10/25/04)

A. *CUZ-1.* (Ord No. 10073, §11, 10/25/04)

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. No more than one (1) employee for every two hundred fifty (250) square feet of gross floor area of all buildings on a project site at any time may be accommodated by intention, design, or in fact.
3. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
4. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

B. *CUZ-2.* (Ord No. 10073, §1, 10/25/04)

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
3. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

C. *CUZ-3.* (Ord No. 10073, §1, 10/25/04)

1. In CUZ-3, single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)

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- b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
- 2. In CUZ-3, no development may exceed seventy-five (75) percent lot coverage and 0.375 Floor Area Ratio (FAR). (Ord. No. 8653, §1, 2/26/96)
- 3. In CUZ-3, no structure or use or contiguous structure or use may accommodate, by intention or design, in whole or in part, at any one time, more than fifty (50) employees.

(Ord. No. 9781, §1, 10/28/02; Ord No. 10073, §1, 10/25/04)

D. Prohibited Uses.

- 1. Public assembly is prohibited within CUZ-1, CUZ-2, and CUZ-3.
 - a. Exception: Accessory Food Service uses for employees only; such uses will be provided on-site entirely within a structure devoted to a permitted principal use.

(Ord No. 10073, §1, 10/25/04)

- 2. In addition to public assembly, the following uses are prohibited within CUZ-1 and CUZ-2. (Ord No. 10073, §1, 10/25/04)
 - a. Civic Assembly of fifty (50) or more persons.
 - b. Day Care.
 - c. Educational Use: Elementary and Secondary Schools.
 - d. Medical Service.
 - e. Adult care homes, adult care facilities, specialized treatment homes, and group homes for the seriously mentally ill.
- 3. In addition to public assembly, the following uses are prohibited within CUZ-3. (Ord No. 10073, §1, 10/25/04)
 - a. Alcoholic Beverage Service (on premises).
 - b. Civic Assembly.
 - c. Cultural Use.
 - d. Day Care.
 - e. Educational Use.
 - f. Entertainment (indoor and outdoor).
 - g. Financial Service (except automated teller).
 - h. Food Service (on premises, except as accessory use).
 - i. General Merchandise Sales (retail stores over 2,500 square feet gross floor area).

- a. Land uses in the Commercial Services Use Group and Retail Trade Use Group are permitted in ADC-1 only if the property was zoned RCV, NC, C-1, C-2, C-3, C-3, P or RV prior to January 1, 2005. (Rezoning from these zones to zones which provide for allowed uses in ADC-1 is encouraged).
- b. Land uses in the Commercial Services Use Group and the Retail Trade Use Group are permitted on property zoned P-I, I-1 or I-2 in ADC-1 only if a protected development right plan was approved by Mayor and Council specifically for such use prior to June 30, 2005.
- c. Developments that are not in conformance with the performance criteria of 2.8.5.8. A. are permitted only if a protected development right plan, was approved by Mayor and Council specifically for such development prior to June 30, 2005.
- d. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, or R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from these zones to zones which provide for allowed uses in ADC-1 is encouraged).
 - 1. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)
 - 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
- e. Parcels less than the minimum size required in ADC-1 and recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 A. 1., 2., and 3.
- f. Individual parcels of less than three (3) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least three (3) acres. The City must be a party for notification purposes to the covenants.
- g. Non-contiguous parcels located within ADC-1 may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the DSD Director. Non-contiguous parcels that do not meet the above criteria may be considered through Special Exception process as specified in Section 2.8.5.10 A.

B. ADC-2

- 1. Performance Criteria. The following Performance Criteria applies to ADC-2
 - a. No more than twenty (20) employees per acre of site area at any time may be accommodated by intention, design, or in fact.
 - b. The minimum project site area is five (5) acres.
 - c. The maximum FAR is .30 of the project site area.
- 2. Prohibited Land Uses. The following land uses are prohibited in ADC-2
 - a. Civic Use Group
 - 1. Civic Assembly- Outdoor and Indoor

- 2. Cultural Use
- 3. Religious Use
- 4. Educational Use
- b. Commercial Services Use Group
 - 1. Administrative and Professional Offices
 - 2. Alcoholic Beverage Service
 - 3. Day Care
 - 4. Entertainment – Outdoor and Indoor
 - 5. Food Service
 - 6. Medical Services
 - 7. Personal Service
 - 8. Transportation Service – Air Carrier
 - 9. Travelers Accommodation-Campsite
 - 10. Travelers Accommodation-Lodging
- c. Industrial Use Group
 - 1. Hazardous Material Manufacturing
- d. Recreational Use Group
 - 1. Neighborhood Recreation
 - 2. Recreation
- e. Residential Use Group
- f. Restricted Adult Activities Use Group
- g. Retail Trade Use Group
- h. Storage Use Group
 - 1. Hazardous Material Storage
- i. Wholesaling Use Group
 - 1. Hazardous Material Wholesaling
- 3. Exceptions. The following provisions allow for exceptions to Prohibited Land Uses in ADC-2 under certain circumstances.

- a. Land uses in the Commercial Services Use Group and Retail Trade Use Group are permitted in ADC-2 only if the property was zoned RCV, NC, C-1, C-2, C-3, C-3, P or RV prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADC-2 is encouraged).
- b. Land uses in the Commercial Services Use Group and the Retail Trade Use Group are permitted in P-I, I-1 or I-2 in ADC-2 only if a protected development right plan was approved by Mayor and Council specifically for such use prior to June 30, 2005.
- c. Developments that are not in conformance with the performance criteria of 2.8.5.7. B. 1. are permitted only if a protected development right plan, was approved by Mayor and Council specifically for such development prior to June 30, 2005.
- d. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADC-2 is encouraged).
 - 1. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)
 - 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
- e. Parcels less than the minimum size required in ADC-2, recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 B. 1., 2., and 3.
- f. Individual parcels of less than five (5) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least five (5) acres. The City must be a party for notification purposes to the covenants.
- g. Non-contiguous parcels located within ADC-2 may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the DSD Director. Non-contiguous parcels that do not meet the above criteria may be considered through Special Exception process as specified in Section 2.8.5.10 A.

C. ADC-3

- 1. Performance Criteria. The following Performance Criteria applies to ADC-3.
 - a. The maximum FAR is .40 of the project site area for land uses in the Industrial, Wholesaling and Storage land use groups.
 - b. The maximum FAR for all other non-residential land use groups is .20 of the project site area.
 - c. The minimum project site area is five (5) acres.
 - d. The maximum building height is sixty-two (62) feet from design grade elevation.
 - e. Any meeting space and function areas where people gather in excess of 5,000 square feet in area will be located underground.
- 2. Prohibited Land Uses. The following land uses are prohibited in ADC-3.

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- a. Civic Use Group
 - 1. Education Use, Elementary and Secondary Schools
 - b. Commercial Use Group
 - 1. Day Care
 - 2. Medical Service, Major and Extended Care
 - c. Industrial Use Group
 - 1. Hazardous Material Manufacturing
 - d. Residential Use Group
 - e. Storage Use Group
 - 1. Hazardous Material Storage
 - f. Wholesaling Use Group
 - 1. Hazardous Material Wholesaling
 - g. Landfills or facilities providing services that are critical for public health and safety, such as fire protection, police communications, sewage and water treatment or storage are not permitted.
3. Exceptions. The following provisions allow for exceptions to Prohibited Uses in ADC-3 under certain circumstances.
- a. Developments that are not in conformance with the performance criteria of 2.8.5.8., Approach Departure Corridors (ADC) for DMAFB are permitted only if a protected development right plan was approved by Mayor and Council specifically for such development prior to June 30, 2005.
 - b. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADCs is encouraged).
 - 1. Flexible Lot Development (FLD) as described in Sec. 3.6.1 is not permitted. (Ord. No. 10636, §11, 2/24/09)
 - 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
 - c. Parcels, less than the minimum size required in ADC-3 and recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 C., 1., 2., and 3.
 - d. Individual parcels of less than five (5) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least five (5) acres. The City must be a party for notification purposes to the covenants.

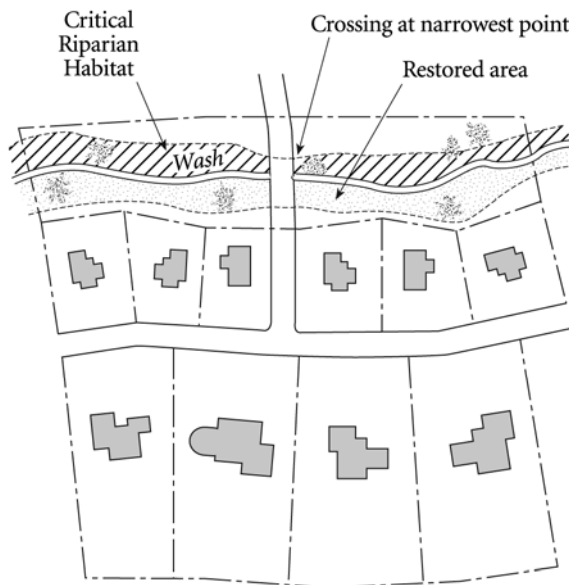
make recommendations on the application to the DSD Director. (Ord. No. 9392, §1, 5/22/00; (Ord. No. 9967, §2, 7/1/04)

1. Submittal material will include an Environmental Resource Report as established in Development Standard 9-06.0. This Report presents a study of the resource corridor and documents locations of the resource corridor and critical riparian habitat. (Ord. No. 9967, §2, 7/1/04)
2. If preservation of the critical riparian habitat cannot be accomplished as provided in these regulations, the submittal will include a mitigation plan as required in Sec. 2.8.6.5.D.
3. Permits for grubbing, grading, construction, or any other improvements will not be issued until all applicable requirements of Sec. 2.8.6.5 and Sec. 2.8.6.6 are met.

2.8.6.5 Development Regulations.

- A. *Preservation of Critical Riparian Habitat.* Preservation of one hundred (100) percent of critical riparian habitat areas within the resource corridors for parcels shown on the Environmental Resource Zone Overlay Maps (ERZ Maps) is required, except as provided in Sec. 2.8.6.4 and Sec. 2.8.6.6. The critical riparian habitat area may be included as part of any required open space on the site.
- B. *Residential Development.* Residential development of four (4) or more dwelling units is allowed only as provided in Sec. 3.6.1, Flexible Lot Development (FLD), except as provided in Sec. 2.8.6.3.B. Use of the FLD provides for the maximum amount of critical riparian habitat preservation while preserving density options. (Ord. No. 10636, §11, 2/24/09)
- C. *Nonresidential Development.* Nonresidential development is allowed based on underlying zoning.
- D. *Mitigation Plan.* Where preservation of the critical riparian habitat area cannot be accomplished as provided in these regulations, the owner is required to submit a mitigation plan, which will be reviewed in accordance with the DSD – Full Notice Procedure, Sec. 23A-50 and 23A-51, containing the following. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §2, 7/1/04)
 1. A statement of findings as to why one hundred (100) percent preservation of the critical riparian habitat area cannot be accomplished.
 2. The plan will document the specific impact of the development on existing critical riparian habitat areas within the resource corridor.
 3. The mitigation plan will present the techniques considered to lessen the impacts of the development on the critical riparian habitat areas. The techniques employed by the development project should protect remaining critical riparian habitat and restore critical riparian habitat areas disturbed during construction. This may be done through clustering development away from substantial amounts of critical riparian habitat, enhancement of degraded critical riparian habitat areas through revegetation or restoration, or other means appropriate to the type of project. (*See Illustration 2.8.6.5.D.3.*)

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2.8.6.5.D.3 Mitigation Options

4. The plan will provide for one hundred (100) percent restoration of the critical riparian habitat area disturbed during construction as detailed in Sec. 2.8.6.6.A.6, Sec. 2.8.6.6.A.7, and Sec. 2.8.6.6.A.8.
 5. In reviewing the statement of findings and the mitigation plan, such factors as the amount, quality, and predisturbance condition of the critical riparian habitat within the resource corridor; the contiguity of the critical riparian habitat; the presence of any endangered species; the upstream or downstream characteristics of the designated wash; the alternatives to the layout and design of the project; and any other pertinent factors relating to the proposed development or the critical riparian habitat that may be provided by the owner and the reviewing parties will be taken into consideration. (Ord. No. 9138, §1, 10/5/98; Ord. No. 9392, §1, 5/22/00)
- E. *Temporary Fencing Required.* No grubbing, grading, or construction will occur on a project site which includes areas designated to be retained in a natural state, until those designated areas are temporarily fenced.
- F. *Inspection of Fencing.* All temporary fencing will be field inspected before any construction on the site begins. Fencing will be removed only on completion of construction. (Ord. No. 9392, §1, 5/22/00)

2.8.6.6 Standards for Roadway/Utility Encroachment.

- A. *Standards.* The following standards are required as part of the mitigation plan, where applicable. They are also required for any allowed encroachment into critical riparian habitat areas. Encroachment which may be allowed is limited to utilities, roadway improvements, walkways, or bike paths. (Ord. No. 9138, §1, 10/5/98)
1. Roadway, bike path, and walkway improvements and utility encroachments into critical riparian habitat areas will be limited and approved only if there are no other alternatives in the design of the project. Where allowed, roadway, bike path, and walkway improvements and utility encroachments will cross critical riparian habitat areas, not run parallel to the critical riparian habitat.

- D. *High-Density Matrix.* The development criteria included in this matrix provide for development of high-density, multiple-family structures.

Development Designator	Lot Coverage¹	Density²	Building Height³	Perimeter Yard⁴
O	75%	36	25'	CC
P	70%	36	40'	CC
R	70%	44	40'	CC
S	80%	87	75'	CC
T (Reserved)				
U (Reserved)				
V (Reserved)				

¹Maximum. Refer to Sec. [3.2.9](#).

²Density. For calculation, refer to Sec. [3.2.10](#).

³Maximum. For measurement and exceptions, refer to Sec. [3.2.7](#).

⁴For applicability, refer to Sec. [3.2.6](#).

- E. *High-Rise Density Matrix.* The development criteria included in this matrix provide for multiple-family structures in zones allowing for the development of high-rise buildings.

Development Designator	Lot Area	FAR¹	Lot Coverage²	Building Height³	Perimeter Yard⁴
W	None	6	80%	140'	DD
X	None	10.5	80%	300'	DD
Y (Reserved)					
Z (Reserved)					

¹Maximum floor area ratio (FAR). Refer to Sec. [3.2.11](#).

²Maximum. Refer to Sec. [3.2.9](#).

³Maximum. For measurement and exceptions, refer to Sec. [3.2.7](#).

⁴For applicability, refer to Sec. [3.2.6](#).

CITY OF TUCSON *LAND USE CODE*
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- F. *Flexible Lot Development (FLD) Density Matrix.* The following regulations apply to FLD projects. Development Alternative A is for standard FLD projects pursuant to Section 3.6.1.2.B.1 (Standard FLD). Development Alternative B is for FLD projects developed using a maximum density option pursuant to Section 3.6.1.2.B.2 (Maximum Density Option). (Ord. No. 10636, §2, 2/24/09)

FLD Designator	Zone	Development Alternative	Site Coverage (Maximum Percentage Allowable)	Allowable Density	Building Height	Perimeter Yard*
FLD-1	SR	A	8	0.25	30'	BB
FLD-2	RX-1	A	33	1.00	30'	BB
FLD-3	RX-2 & SH	A	33	2.25	25'	BB
FLD-4	R-1 & MH-1	A	50	5.14	25'	BB
		B	70	6.25	25'	BB
FLD-5	MH-2	A	62	8.00	25'	BB
		B	75	15.00	25'	BB
FLD-6	R-2	A	62	8.71	25'	BB
		B	75	22.00	25'	BB
FLD-7	R-3	A	70	36.00	40'	CC
		B	75	44.00	40'	CC
FLD-8	O-1, O-2 & O-3	A	75	22.00	25'	BB
FLD-9	C-1	A	75	36.00	25'	CC
FLD-10	C-2 & C-3	A	75	44.00	40'	CC

(Ord. No. 10636, §3, 2/24/09)

3.2.3.2 **Nonresidential Development Designator.** The development criteria included in these matrices are applied as required in the specific zone primarily for nonresidential uses.

A. *Located in Residential Zones.* The development criteria included in this matrix are primarily for application on nonresidential uses when permitted in residential zones. These Designators are also applied to a limited number of uses in nonresidential zones.

Development Designator	Site Area ¹	FAR ²	Lot Coverage ³	Building Height ⁴	Perimeter Yard ⁵
1	30 acres	0.03	10%	25'	FF
2	10 acres	0.06	10%	30'	FF
3	10 acres	0.10	15%	25'	FF
4	4,000	0.03	10%	12'	FF
5	144,000	0.10	15%	30'	FF
6	144,000	0.30	50%	25'	FF
7	72,000	---	60%	25'	FF
8	43,560	0.15	20%	25'	FF
9	36,000	0.10	15%	30'	EE
10	36,000	0.30	50%	25'	EE
11	20,000	0.10	15%	25'	CC
12	20,000	0.40	60%	25'	CC
13	16,000	0.10	15%	25'	DD
14	16,000	0.35	50%	25'	DD
15	14,000	---	80%	25'	BB
16	10,000	---	80%	25'	BB
17	7,000	0.50	70%	25'	BB
18	0	0.50	70%	40'	CC
19	1.5 acres	0.50	70%	25'	CC
20	2.5 acres	---	60%	25'	BB
21	36 acres	0.03	10%	30'	FF
22 (Reserved)					
23 (Reserved)					
24 (Reserved)					
25	180,000	0.10	20%	30'	FF

¹Minimum site area in square feet unless otherwise stated.

²Maximum floor area ratio (FAR). Refer to Sec. [3.2.11](#).

³Maximum. Refer to Sec. [3.2.9](#).

⁴Maximum. For measurement and exceptions, refer to Sec. [3.2.7](#).

⁵For applicability, refer to Sec. [3.2.6](#).

(Ord. No. 9102, §2, 8/3/98)

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 DIVISION 2. DEVELOPMENT CRITERIA

- B. *Located in Nonresidential Zones.* The development criteria included in this matrix are primarily for application on nonresidential uses when permitted in nonresidential zones.

Development Designator	Site Area ¹	FAR ²	Building Height ³	Perimeter Yard ⁴
26	10,000	0.25	16'	BB
27	0	0.50	26'	BB
28	0	0.35	30'	DD
29	0	0.50	30'	DD
30	0	0.75	40'	DD
31	0	0.90	40'	DD
32	1,500	0.00	30' ⁵	DD
33	0	1.50	50'	DD
34	0	2.00	75'	DD
35	0	6.00	140'	EE
36	0	10.50	300'	EE
37 (Reserved)				
38	0	0.75	16'	BB
39 (Reserved)				
40	5,000	0.90	16'	AA
41	5,000	0.50	25'	BB

¹Minimum site area in square feet unless otherwise stated.

²Maximum floor area ratio (FAR). Refer to Sec. [3.2.11](#).

³Maximum. For measurement and exceptions, refer to Sec. [3.2.7](#).

⁴For applicability, refer to Sec. [3.2.6](#).

⁵Unless a greater height is permitted by the Sign Code.
 (Ord. No. 8610, §1, 11/27/95)

- 3.2.4 SECONDARY LAND USE.** Land use activities that are allowed as Secondary Land Uses to a principal use are subject to the provisions described below.

- 3.2.4.1 Development Criteria. Any land use permitted as a secondary use shall be developed within the requirements of the Development Designator of the Principal Land Use, but all other development requirements of Article III are based on the specific Secondary Land Use.

- 3.2.4.2 Review. All proposed applications for Secondary Land Uses shall be submitted for zoning compliance review and approval. Compliance with requirements for a Secondary Land Use and with requirements of the zone are required for approval. (Ord. No. 9392, §1, 5/22/00)

- 3.2.5 ACCESSORY USES AND STRUCTURES.** Those land uses and structures associated with, and incidental to, a principal structure are accessory and subject to the provisions described below.

- 3.2.5.1 Accessory Uses. An accessory use must comply with the following.

- A. The use is incidental to the principal use and is located on the same parcel as the principal use;
- B. The use is intended for the occupants, residents, customers, employees, or guests of the principal use; and

- b. Such dedication was not a condition of approval for applications, such as, but not limited to, rezonings or variance requests;
 - c. Such dedication does not include right-of-way dedicated as part of a subdivision plat; and
 - d. A legally binding agreement to dedicate or sell at nominal cost to the City is submitted as part of the application.
- C. Residential density for residential projects developed under Development Designators "W" through "Z", as listed in Sec. [3.2.3.1.E](#), is based on a Floor Area Ratio (FAR), in accordance with Sec. [3.2.11.2.B](#).
- D. Residential density in residential projects developed under Development Designators "FLD-1" through "FLD-9", as listed in Sec. [3.2.3.1.F](#), is based on the developable area of the site (refer to Sec. 6.2.4. for definition of developable area). (Ord. No. 9138, §1, 10/5/98, Ord. No. 10636, §12, 2/24/09)

3.2.11 FLOOR AREA RATIO (FAR) CALCULATION.

- 3.2.11.1 **Purpose.** This Section provides a uniform method for calculating the maximum amount of floor area that may be achieved on a site, when the floor area is based on a ratio. The ratio, or Floor Area Ratio (FAR), is defined in Sec. [6.2.6](#). FARs are used in conjunction with lot coverage, perimeter yard requirements, and height limitations to determine and define the building bulk that may occur on a given site.

Floor Area (FA), as defined, does not include any interior motor vehicle parking or off-street loading that is accessory to the principal use.

- 3.2.11.2 **Applicability.** FARs are applicable when listed as part of the development criteria of a Development Designator. Land use intensity for all nonresidential uses and residential density for high-rise residential uses are calculated using FARs. The calculations are as follows.

- A. *General Rule of Application.* In general, the FAR assigned to each Development Designator is based on the most favorable situation, so the maximum FA will not be achieved on all projects. To achieve the maximum possible FA permitted by the FAR, the other development criteria (perimeter yard requirement, lot coverage, motor vehicle parking, etc.) would have to be at their least restrictive levels.

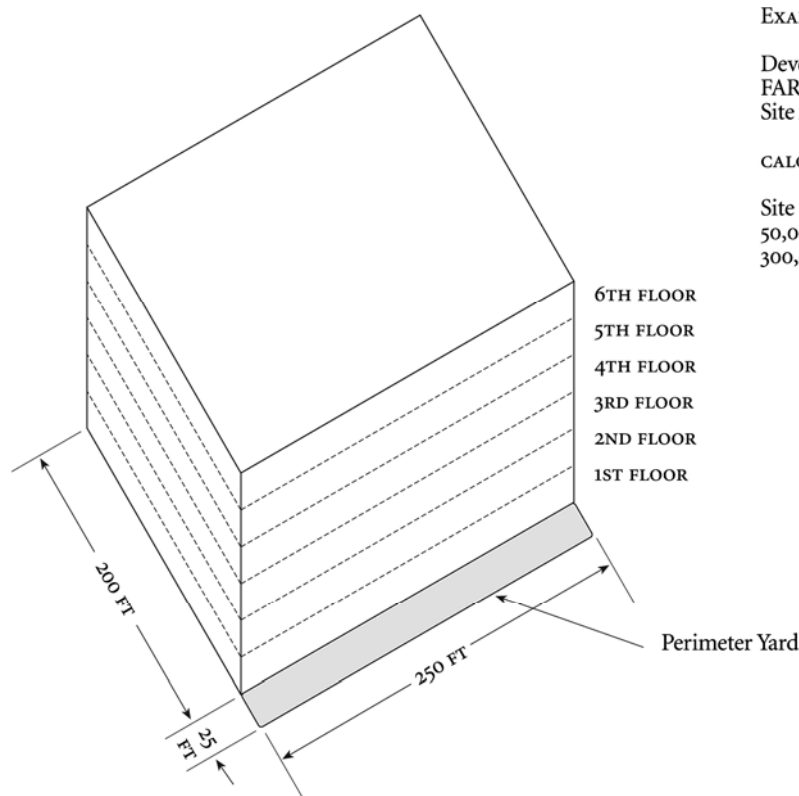
Example:

A commercial development adjacent to a residential zone would have perimeter yard requirements which would prohibit maximizing the permitted FA. The same commercial development located adjacent to a commercial zone or another nonresidential zone would not have perimeter yard requirements and would have a greater opportunity to achieve the maximum permitted FA.

- B. *Residential Projects.* Residential density calculations for residential projects developed under Development Designators "W" through "Z", as listed in Sec. [3.2.3.1.E](#), are based on a FAR. The FAR provides the maximum amount of FA that can be developed on a site. The FA can be divided into any number of units or accessory buildings, provided the combined square footage of all units and accessory buildings does not exceed the permitted FA of the site. (*See Illustration 3.2.11. Example 1.*)
 - 1. *Standard Calculation.* To obtain the amount of FA permitted on a site, the area of the site, expressed in square feet, is multiplied by the FAR listed for the assigned Development Designator. The result is the maximum amount of FA permitted on the site. The FA permitted on a site may be divided into any number of dwelling units and accessory buildings.

The resulting FA includes all floor area, except interior motor vehicle parking and loading areas. To obtain an approximate number of units that could be developed, all areas not specifically allocated to a dwelling unit, such as interior corridors, lobbies, and janitorial areas, must be deducted from the total FA. The remaining FA could then be divided by the average size unit to obtain the approximate number of dwelling units for the site. For example, if thirty (30) percent of the FA is for non-dwelling uses and seventy (70) percent for dwelling units, then multiply the FA by 0.70. Divide that amount by the average size unit. The result is the approximate number of units.

2. *Exception.* Any site area dedicated or sold at nominal cost to the City for public purposes is included as part of the site area for calculation of density, provided:
 - a. The additional density is less than ten (10) percent of the density permissible for the rest of the site area;
 - b. Such dedication was not a condition of approval for applications, such as, but not limited to, rezonings or variance requests;
 - c. Such dedication does not include right-of-way dedicated as part of a subdivision plat; and
 - d. A legally binding agreement to dedicate or sell at nominal cost to the City is submitted as part of the application.



EXAMPLE 1: Residential Project

Development Designator: W

FAR: 6

Site Area: 50,000 SQ FT

CALCULATION:

Site area x FAR = Floor Area (FA)

50,000 SQ FT x 6 = FA

300,000 SQ FT = FA

3.2.11 Floor Area Ratio (FAR) Calculation

DIVISION 6. DEVELOPMENT INCENTIVES

SECTIONS:

3.6.1 FLEXIBLE LOT DEVELOPMENT (FLD)

3.6.1 FLEXIBLE LOT DEVELOPMENT (FLD)

3.6.1.1 Purpose. The purpose of the Flexible Lot Development (FLD) is to provide greater flexibility and creativity in the design of residential development by:

- A. Providing incentives to achieve community goals, such as historic and archaeological preservation, of natural vegetation, development within low-income areas, and in-fill housing projects.
- B. Implementing the goals and objectives of the *General Plan, Area Plans, and Neighborhood Plans*.
- C. Providing open space that is usable and includes suitably located active and passive recreational amenities, such as trails, walking paths, picnic areas, and playgrounds.
- D. Providing for visual, and where achievable, physical connections to open space areas on adjacent properties.
- E. Efficiently using land and public facilities by means of a more economical arrangement of buildings, circulation systems, land uses, and utilities.
- F. Preserving to the greatest extent possible existing Natural Undisturbed Open Space, environmentally sensitive areas, and landscape features and amenities, such as significant topography, protected peaks and ridges, natural vegetation, washes, riparian areas, and floodplains, and integrating such features with structures and other improvements.
- G. Coordinating architectural styles, building forms, and building relationships within the development and with surrounding land development.
- H. Providing high-quality sustainable development within the city that incorporates “green building” techniques such as water harvesting, solar access, and passive solar orientation.
- I. Mitigating the urban heat island effect by requiring such measures as canopy trees throughout the FLD project and other acceptable mitigation efforts.
- J. Creating incentives for appropriate urban infill development on lots with site constraints.

3.6.1.2 Applicability.

- A. The provisions of 3.6.1 apply only to residential development as follows.
 - 1. Standard FLD. FLD projects other than those utilizing a maximum density option may be developed in the following zones:
 - a. Single-family detached residential development in the SR, SH, RX-1, and RX-2 zones;

- b. Single-family residential development, attached or detached, in the R-1, MH-1, and MH-2 zones; and
 - c. Single-family attached or detached, and multifamily residential development in the R-2, R-3, O-1, O-2, O-3, C-1, C-2, and C-3 zones.
 - 2. Maximum Density Option. FLD projects may be developed to the maximum density permitted by the underlying zoning pursuant to Section 3.6.1.2.B.2 in the following zones:
 - a. Single family residential development, attached or detached, in the R-1, MH-1, MH-2 and R-2 zones; and
 - b. Multi-family residential development in the R-2 and R-3 zones.
- B. FLD Alternatives. Residential development permitted using the FLD provisions under one (1) of the two (2) following alternatives:
 - 1. *Standard FLD – Development Alternative A.* A standard FLD project shall not exceed the density limits for Development Alternative A in 3.2.3.1.F (FLD Project Density Matrix).
 - 2. *Maximum Density Option – Development Alternative B.* FLD projects that meet at least one (1) of the following development options may develop up to the maximum density shown for the Development Alternative B in Table Section 3.2.3.1.F for the zone.
 - a. *Low Income Housing.* A minimum of ten (10) percent of the project's total number of units or minimum of two (2) units, whichever is greater, are constructed and used for low-income housing.
 - b. *Housing for the Elderly.* The entire project is designed and constructed only for the elderly . A covenant shall be recorded for the project site stating that the housing is restricted for use by the elderly. Residents of an FLD for elderly must be at minimum 62 years old.
 - c. *Historic Preservation.* The project includes preservation of a historic site, structure, or landmark or leads to the preservation or scientific study and archaeological documentation of prehistoric or historic buildings or sites, in accordance with the criteria listed in Development Standard 2-10.0.0. Features eligible for use of this option are those identified in the required archaeological study as meeting the criteria for in Development Standard 2-10.4.0. A covenant preserving the historical site is required.
 - d. *Additional Functional Open Space.* The project preserves at least twenty (20) percent more Functional Open Space than is required by Section 3.6.1.4.D (Functional Open Space Requirements). The additional open space must be usable for passive or active recreational uses, such as trails, walking paths, picnic areas, and playgrounds.
 - e. *Additional Open Space within an FLD Greater than 5 Acres.* The project preserves in a natural state at least fifteen (15) percent more area than is required by other sections of the Tucson Code. These natural features include, but are not limited to, vegetation, washes, and hillsides.
 - f. *Proximity to an Arterial Street.* The project is located in the City's Central Core (as defined in the City of Tucson's General Plan) and is on a designated arterial street near transit facilities to promote the use of transit and reduce vehicle trips. The project density does not conflict with

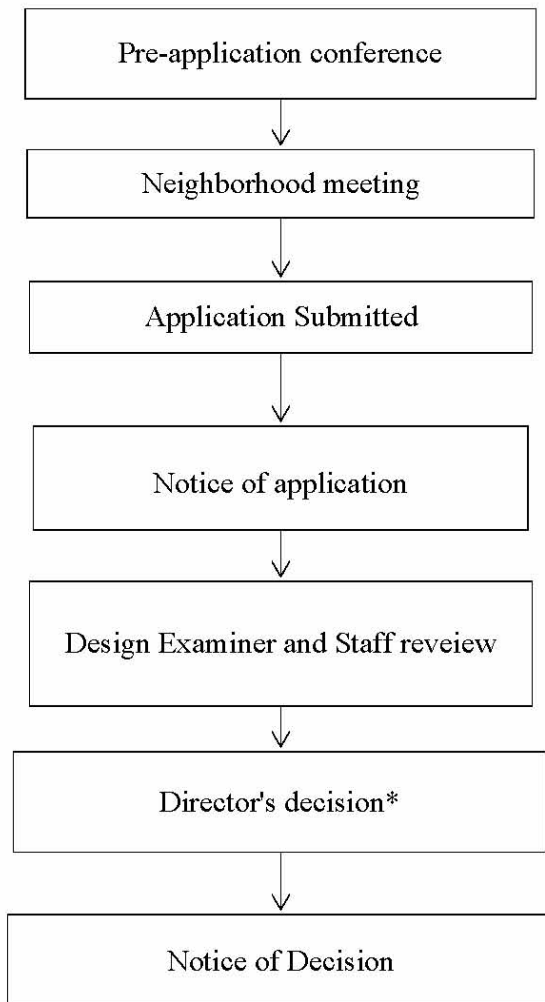
any applicable area or neighborhood plan. This maximum density option applies only to those portions of the project site within one-quarter (1/4) of a mile of an arterial street.

- g. *Trail or Wildlife Corridor Dedication.* The FLD provides for dedication of trails or wildlife corridors, or both, that connect to offsite trails and wildlife corridors as approved by the Parks and Recreation Department.
- h. *Green Building.* The project is designed and located to comply with the energy efficiency requirements listed in the Development Standard 2-10.0.

3.6.1.3 FLD Submittal, Review, and Approval

- A. *Procedure.* The procedure for FLD submittal, review, and approval are set forth in the Tucson Code, Development Compliance Code, Chapter 23A-35,. The flowcharts provided below are for illustrative purposes only.
- B. *Tentative Plat.* A tentative subdivision plat for an FLD must be prepared, processed, and approved in compliance with Article IV of this Chapter, Tucson Code, Development Compliance Code, Chapter 23A-35 (FLD Review) and 23A-33.1(1) (Subdivision plat process), and Development Standards 2-03.0.0 and 2-10.3.0.
- C. *Final Plat.* A final subdivision plat for an FLD must be prepared, processed, and approved in compliance with Article IV of this Chapter, Tucson Code, Development Compliance Code, Chapter 23A-35 (FLD Review), and 23A-33.1(2) (Final plat review) and Development Standards 2-03.0.0 and 2-10.3.0.

(Ord. No. 10636, §4, 2/24/09)

**3.6.1.3.B: Tentative Plat Procedure
for FLD**

*Director's decision can be appealed
to Mayor and Council

**3.6.1.3.C: Final Plat Procedure
for FLD**

(Ord. No. 10636, §4, 2/24/09)

- D. **Development Plan Requirements.** A Development Plan is required only if a subdivision plat is not required. The submittal, review and approval of a Development Plan must comply with Chapter 23A-35 and Development Standard 2-10.0.0.

3.6.1.4 **General Development Criteria.** An FLD shall comply with the following criteria.

- A. *Conformance with the General Plan and other Applicable Plans.* An FLD must be in conformance with the General Plan and any of its components, including any applicable adopted area and neighborhood plans.
- B. *Applicability of General LUC Requirements.* Except as permitted in this Section 3.6.1, all applicable development and performance criteria of the LUC and the applicable development standards apply to an FLD.
- C. *Project Amenities and Site Improvements*
1. *Single-Phased Construction.* If an FLD is not developed in multiple phases, all amenities and improvements must be completed when no more than fifty percent (50%) of the residential units served by the project amenities and site improvements are constructed.
 2. *Multi-Phased Construction.* If an FLD is developed in phases, construction of project amenities and improvements must comply with Section 3.6.1.8 (FLD Phasing Requirements).

D. **Open Space Requirements**

1. *Functional Open Space Area Requirements*

- a. Functional Open Space shall be provided as shown in the following table:

Project size	Functional Open Space Requirement
5 acres or less	Less than 13 DU/AC* = 109 SF**/unit 13 DU/AC or more = 161 SF/unit
More than 5 acres	269 SF/unit

*DU/AC = Dwelling units per acre

**SF = square feet

- b. Functional Open Space must be for an active recreational, passive recreational or scenic purpose.
- c. An FLD shall provide Functional Open Space amenities appropriate for the mix of residents for which the FLD project is designed.
- d. A homeowners' association or management organization must be established by the developer to be responsible for the ownership, permanent care, and maintenance of Functional Open Space areas.
- e. Any portion of the FLD project site that has been dedicated to and accepted by a public entity for public use as a Functional Open Space amenity may be included in meeting the Functional Open Space area requirements. Dedications that meet this requirement include, but are not limited to, parks, trail, and detention and retention basins that incorporate Multiple-Use Concepts and Aesthetic Design Guidelines described in Chapter IV of the Stormwater Detention/Retention Manual (Development Standard 10-01.0.0). (Ord. No. 10636, §4, 2/24/09)

-
- f. The following FLD projects are exempt from Section 3.6.1.4.D.1.a (Functional Open Space Requirements):
 - i. An FLD project with 60 lots or fewer located within one-quarter (1/4) of a mile of a City community park of at least fifteen (15) acres which does not require crossing an arterial roadway to reach the park; or,
 - ii. An FLD project zoned SR, SH, RX-1 or RX-2.
 - 2. Configuration and Location of Functional Open Space within an FLD Project.
 - a. FLD projects 5 acres and less. Functional Open Space amenities should be configured as contiguous areas, but may also be incorporated into the design of other elements on the site, such as detention/retention basins and buffers, in order to make those areas functional.
 - b. FLD projects more than 5 acres. Functional Open Space may be divided into smaller areas if they are distributed throughout the project site and conveniently located for residents of the FLD project.
 - c. Functional Open Space shall be conveniently located to and usable by the maximum number of the residential units on the site.
 - d. To the greatest extent possible, Functional Open Space should not be comprised of remnant areas that are not usable by residents of the FLD project.
 - e. Where the project is located near a public preserve, or can provide connections to open space areas or areas of environmentally or culturally significant features, the open space shall be configured in a manner to preserve this connectivity.
 - 3. Additional Common Open Space Requirements.
 - a. Natural Undisturbed Open Space (NUOS).
 - i. NUOS areas include environmentally significant features (as identified in the Environmental Resource Zone; Hillside Development Zone; and, Watercourse Amenities, Safety and Habitat zone); culturally significant features (features eligible for National Register status as identified during the cultural resource assessment process); designated floodplains (except where channelized); and, other features identified during the FLD site design plan process.
 - ii. NUOS areas shall remain unimproved and permanently conserved with the following exceptions:
 - a) Trails are permitted in NUOS areas and may count toward meeting Functional Open Space requirements.
 - b) Infrastructure is permitted in NUOS areas when connectivity of services is required or cannot be achieved elsewhere on the site outside the NUOS area using design techniques that minimize the impact on the NUOS, such as limiting crossings and borings.
- (Ord. No. 10636, §4, 2/24/09)
- b. Detention and retention basins.

- i. To the greatest degree practicable, detention and retention basins within an FLD shall be designed as Functional Open Space by incorporating the Multiple-Use Concepts and Aesthetic Design Guidelines described in Chapter IV of the Stormwater Detention/Retention Manual (Development Standard 10-01.0.0), and in accordance with Section 3.7.4.3 and. Functional Open Space amenities within detention and retention basins may count toward meeting Functional Open Space requirements.
 - ii. Detention and retention basins shall be:
 - a) located in a common area, outside the boundaries of a residential lot;
 - b) owned and maintained by the homeowners organization or management organization established by the developer;
 - c) located within the perimeter wall, fence, or screening surrounding the FLD project site boundaries, if provided; and,
 - d) designed and constructed in compliance with the Stormwater Detention/Retention Manual.
 - iii. Slopes should be no steeper than 4:1 where water depths exceed two (2) feet within a detention or retention basin so that a safety barrier is not required.
- E. Calculation of Maximum Unit Yield. The method for calculating residential density as described in Section 3.2.10 (Residential Density Calculation) shall be used in calculating the maximum unit yield of FLD projects.
- F. Flexible Lot Development (FLD) Density Matrix. FLD projects must comply with the density limits pursuant to the density matrix provided in Section 3.2.3.1.F.

(Ord. No 10636, §4, 2/24/09)

3.6.1.5 Site Specific Development Criteria. An FLD shall comply with the following criteria:

A. *Transition Edge Treatment and Mitigation for Adjacent Properties.*

1. *Transition Edge Treatment.* Where a single-family attached or multi-family FLD project is adjacent to existing single-family residential development, the FLD must provide buffering in order to preserve the privacy of the existing residential development. Examples of buffering include, but are not limited to, landscaping, a fence, or a wall. The proposed buffering shall be included as conditions on the approved subdivision plat.
2. *Privacy Mitigation*
 - a. The following are required where multistory residences are proposed adjacent to existing single story residential and the existing residences are zoned R-2 or more restrictive:
 - i. Balconies, windows (except for clerestory and translucent windows), or any other feature on an upper floor that overlook the rear and side yards of an adjacent residence are prohibited.
 - ii. A Privacy Mitigation Plan is required demonstrating that adequate measures, such as screening, setbacks, building mass, solar access, air circulation, and light access are incorporated into the design of the project to preserve the existing residents' privacy.
 - iii. The Privacy Mitigation Plan must be prepared, submitted, processed, and approved in compliance with Chapter 23A-35 and Development Standard 2-10.0.

B. *Landscaping, Screening and Wall Requirements.*

1. FLD projects must comply with Section 3.7.0 (Landscaping and Screening Requirements) except as otherwise provided by this section.
2. One (1) canopy tree must be provided every forty (40) feet of pedestrian circulation systems, excluding crossings with streets, alleys, and driveways. If providing canopy trees every 40 feet is not achievable, the applicant must:
 - a. Provide the equivalent number of trees that would be obtained using the 40-foot increment measure; and,
 - b. Distribute the trees within the FLD project site along pedestrian circulation systems and within Functional Open Space areas.
3. Landscape plans shall incorporate water-conserving design as defined in Section 3.7.4 and as described in Development Standard 2-06.0.
4. Water harvesting techniques shall be incorporated as part of the landscape design based on the *Water Harvesting Guidance Manual* prepared for the City of Tucson Transportation Department Stormwater Section.
5. Mechanical equipment, utility boxes, irrigation equipment and similar elements shall be screened from adjacent streets exterior to the project and from adjacent existing residential development. Screening shall be architecturally integrated with the overall design of the FLD.
6. If a perimeter wall is proposed along a public right-of-way, it shall be constructed of, or painted with, graffiti-resistant materials. The wall shall incorporate one or more of the following decorative materials:
(Ord. No. 10636, §4, 2/24/09)

- a. tile;
- b. stone;
- c. brick;
- d. adobe;
- e. a textured material such as stucco or plaster; or
- f. metal

C. Perimeter Yards Along FLD Project Site Boundaries.

- 1. Perimeter yard width requirements along FLD project site boundaries are based on the zoning classification of the adjoining property, as shown in 3.2.6.4 (Perimeter Yard Width Matrix).
- 2. The required street perimeter yard width along FLD project site boundaries shall be in accordance with Section 3.2.6.5, unless special zoning requirements dictate a greater distance or different point of measurement.

D. Perimeter Yards on Interior Lots. Interior lots must provide perimeter yard setbacks as follows:

- 1. The perimeter yards along interior lot lines required by 3.2.6.4 (Perimeter Yard Width Matrix) may be reduced, subject to the limitations in the Building Codes.
- 2. Along interior street lot lines, street perimeter yards are required, in accordance with Section 3.2.6.5. The street perimeter yards may be administratively reduced by the Development Services Department Director if the Director finds that the reduced setback enhances the architectural design or the vehicular circulation in the FLD and a transportation impact analysis is approved by the City's Traffic Engineering division.
- 3. Along parking area access lanes (PAALs), setbacks as required in Development Standard 3-05.2.2.B and Department of Transportation design criteria.

E. Site Coverage.

- 1. FLD projects must comply with site coverage limits in Section 3.2.3.1.F. Site coverage shall be applied in accordance with the Lot Coverage requirements in Section 3.2.9 (Lot Coverage).
- 2. Within vehicular areas, any landscaped area greater than twenty-five (25) square feet is excluded provided the landscaped area calculations do not include those areas less than three (3) feet in width and the landscaped area is curbed to protect it from vehicular traffic.

F. Parking. Parking must comply with Section 3.3.0 (Motor Vehicle and Bicycle Parking Requirements), Development Standard 3-05 (Vehicle Parking Area Design Criteria), applicable sections of Section 3.7.0 (Landscaping) and Development Standard 2-06 (Landscaping), applicable regulations related to accessibility, and the following criteria:

- 1. Streets within the FLD site for which on-street parking is proposed must be designed with parking lanes that comply with Development Standard 3-01.2.3 (Parking Lanes).
- 2. An alley abutting an existing development shall not be used for parking access.
- 3. Common parking areas must meet the following requirements.

(Ord. No. 10636, §4, 2/24/09)

- a. No more than sixty (60) parking spaces may be located in any single outdoor parking area.
- b. There shall be a minimum of thirty (30) ft. separation between common parking areas. Common parking areas must be separated by a building or landscaping.
- c. The same parking area access lane (PAAL) may provide access to two (2) or more parking areas.
- d. Curbed areas must provide openings to allow water to flow into landscaped areas and water harvesting basins.

G. *Circulation and Connectivity.*

1. The right-of-way and pavement widths for internal ways, common parking areas, streets, roads, or other means of vehicular circulation and for surface drainage serving the FLD shall be in conformance with Section 3.3.7, Development Standard 3-01.0 and 3-05.0.
2. All elements of an FLD, including residential units and recreational amenities, shall be connected by a pedestrian circulation system.
3. Interior pedestrian sidewalks shall connect to sidewalks on abutting streets and to abutting commercial and recreational facilities with adjacent property owner's consent.
4. Bus turn-out lanes and bus waiting shelters must be provided if requested by the City.
5. Barrier Free Access to Functional Open Space Amenities
 - a. For purposes of this section, barrier free access is defined as functional access for semiambulatory and nonambulatory persons.
 - b. Barrier free access to Functional Open Space amenities must be provided pursuant to the 2006 International Building Code Section 1109.14 (Recreational and sports facilities) of the building code with the following exception:
 - i. FLDs using the Housing for the Elderly maximum development option (Section 3.6.1.2.B.2.b) shall provide barrier free access pursuant to the 2006 International Building Code Section 1109.14 (Recreational and sports facilities) of the building code or fifty percent (50%), but not less than one, of each type of Functional Open Space amenity, whichever is greater.
6. Trails that have current or future linkages to other trails, open space areas or recreation areas shall be provided as determined by the City Parks and Recreation Department.
 - a. Trails must be constructed in compliance with the design criteria established for trails by the City of Tucson Parks Department and Pima County Parks Department.
 - b. Hard and soft surface paths, when required, must have an average separation of at least five (5) feet to allow for landscaping that does not interfere with the paths, except where a reduced width is allowed by the City's Parks and Recreation Department.

H. *Terrain and Grading.*

1. Property within the Hillside Development Zone (HDZ) must comply with Section 2.8.1.6.C.

(Ord. No. 10636, §4, 2/24/09)

2. Areas of the site protected in their natural state by the Environmental Resource Zone (ERZ), Watercourse Amenity, Safety and Habitat (WASH) zone, or Native Plant Preservation Ordinance (NPPO) regulations shall be delineated and set aside as Natural Undisturbed Open Space as required by these regulations.

3.6.1.6 Individual Lot Development Criteria. An FLD shall comply with the following criteria:

A. *Minimum Lot Sizes.* Within an FLD, the lot size permitted in the zoning district may be reduced, with the following exceptions:

1. Lots in the SR and RX-1 zones must contain a minimum of 18,000 square feet.
2. Lots in the RX-2 zone must contain a minimum of 12,000 square feet.
3. All lots developed with a septic systems must contain a minimum of one (1) acre.

B. *Architectural Variation.*

1. *Purpose.* To provide architectural diversity, visual interest, and to avoid monotony in architectural design by requiring variations in such architectural treatments as color, finished materials, massing and rooflines, orientation of units, garages and porches.
2. *Applicability.* The requirements of this section apply to projects meeting the following criteria:
 - a. Projects with twenty (20) or more single-family detached residential units except when residential units are on lots larger than ten thousand (10,000) square feet or, where dwelling units are separated by thirty (30) feet or more; or
 - b. Elevations of single family detached units abutting a public street designated as a collector or arterial street in the Major Streets and Routes Plan; or, a private or public street designed and/or designated as a residential collector street.
3. *Requirements.*
 - a. The same architectural elevation shall not be repeated more often than every fourth lot.
 - b. Architectural variation may be accomplished by incorporating a minimum of two of the following design features into the affected elevations: different building footprint orientation, building elevation, garage placement, roof type, ornamentation, or architectural style. The applicant must work with the City's Design Examiner to ensure that adequate variation is achieved.
 - c. *Garage Placement.* For FLD projects with over (20) or more single-family detached residential units, no more than fifty (50) percent of detached residential units throughout the FLD shall be designed with garages that protrude from or are flush with the front wall of the living area or front porch of the house.
4. *Architectural Variation Plan Required.*
 - a. An Architectural Variation Plan (AVP) demonstrating compliance with the requirements of this section must be prepared in accordance with Development Standard 2-10.0.0. (Ord. No. 10636, §4, 2/24/09)

- b. The AVP will be processed and considered for approval as required in Chapter 23A-35.3 (Architectural Variation Plan required)
- c. An AVP must be approved prior to issuance of a building permit.

C. Solar Access and Passive Solar.

- 1. Solar Access. Dwelling units should be configured to allow solar access to adjacent structures.
- 2. Passive Solar. FLD projects should incorporate passive solar design when practicable.

3.6.1.7 Management of Common Properties.

- A. The subdivision plat will provide for the ownership, control, maintenance, and liability of all common areas through the homeowner's association or joint and several liability of all property owners in accordance with the Development Standards.

3.6.1.8 FLD Phasing Requirements. An FLD may be phased for construction and development; however, the FLD shall be considered a single project for purposes of allowable densities, open space, common areas, hydrology, and grading, provided that all of the following conditions are met.

- A. The entire FLD must be platted as one (1) project, as setbacks and other FLD requirements are based on the entire FLD site. If the FLD is platted by phase, then each phase must comply with requirements as a separate project, including the following.
 - 1. Homeowners' association documentation must allow for the annexation of future phases if designed to work as one (1) project.
 - 2. If access to future phases is designed to be through the phase being platted, right-of-way easements or other acceptable legal instruments shall be provided on/with the plats and homeowners' association documents.

- B. If the FLD contains common areas, the entire RCP shall be subject to an overall set of comprehensive conditions, covenants, and restrictions which establish the character of the development and create an overall homeowners' association. If the documentation for the overall homeowners' association does not indicate responsibility for each phase within the FLD, then the excluded phase shall have its own homeowners' association which will be responsible for owning and maintaining any common area, open space, natural area, or recreation area within the phase.

- C. The developer must submit a document to show how the project amenities and site improvements will be developed in proportion to the number of residential units developed. The site improvements must be designed to function independently for each phase and as each new phase is added.

Such project amenities and site improvements shall be located adjacent to or within developed or developing phases and on property that is abutting or physically connected to the residential development in order to provide access between the amenity and the development it serves.

- D. At no time during the construction of the FLD shall the number of constructed residential units per acre of developed land exceed the overall density for the land area in each phase and as approved by the recorded plat

(Ord. No. 10636, §4, 2/24/09)

3.6.1.9 Design Examiner (DE). The DE reviews FLDs in accordance with LUC Sec. 5.1.13.2 and Tucson Code, Chapter 23A, Development Compliance Code, Sec. 23A-35 and makes a written recommendation to the DSD Director.

3.6.1.10 Definitions. The definitions that follow apply only to the terms used in LUC Section 3.6.1, Flexible Lot Development (FLD).

Architectural Variation Plan. Drawing of a project site and/or elevations demonstrating compliance with City regulations regarding architectural variation.

Common Area. Those portions of a site not within the boundaries of a private lot that are set aside in perpetuity as commonly owned and maintained by the residents of a development through a homeowners' organization, and designated for the benefit of and enjoyment by all the residents of the development. Common area is comprised of open space, Functional Open Space and areas for infrastructure such as streets, and drainage easements.

Flexible Lot Development. The techniques used to concentrate buildings on a site by allowing for reductions in lot size and flexibility of lot shape dimension and location with the resultant open space being devoted by deed restrictions for one or more uses, such as Natural Undisturbed Open Space and passive and active recreation areas.

Functional Open Space. An active or passive recreational amenity for use by the residents and guests of a residential development. Examples of Functional Open Space include nature trails; exercise trails; open playgrounds, such as baseball fields and multi-use recreational areas; picnic areas; and facilities, such as swimming pools, tennis courts; and golf courses.

Non-Motorized Recreational Trail. An easement used by pedestrians, equestrians, bicyclists (including electric if local regulations permit) and wheelchairs (including electric). Motorized maintenance vehicles are permitted on trails for maintenance purposes only."

Natural Undisturbed Open Space. Any area of land that is unimproved and not occupied by structures or man-made impervious surfaces that is set aside, dedicated or reserved in perpetuity as a preservation conservation area for public or private enjoyment. NUOS areas include environmentally significant features (as identified in the Environmental Resource Zone; Hillside Development Zone; and, Watercourse Amenities, Safety and Habitat zone); culturally significant features (features eligible for National Register status as identified during the cultural resource assessment process); designated floodplains (except where channelized); and, other features identified during the FLD site design plan process. A pedestrian or non-motorized access trail may be located in a Natural Undisturbed Open Space. Rights-of-ways are allowed to cross when the impact of crossing is minimized or is at right angles to the Natural Undisturbed Open Space.

Privacy Mitigation Plan. Drawings of a project site and/or elevations detailing the design features being incorporated into a project to mitigate for adjacent residents' privacy.

Project Amenities. Aesthetic or other characteristics of a development that increase its desirability to a community or its marketability to the public. Project amenities include, but are not limited to, open space, natural undisturbed areas, landscaping, common areas, and recreation facilities.

Site Coverage. The aggregated area occupied by buildings, storage areas, and vehicular use areas within a project site.

Site Improvements. Any building, structure, or other object constituting a physical addition to the real property. Site improvements include, but are not limited to, streets, curbs, sidewalks, parking areas, and utilities.

(Ord. No. 10636, §4, 2/24/09)

DIVISION 7. LANDSCAPING AND SCREENING REGULATIONS

SECTIONS:

3.7.1	PURPOSE, INTENT, AND APPLICABILITY
3.7.2	LANDSCAPE REQUIREMENTS
3.7.3	SCREENING REQUIREMENTS
3.7.4	USE OF WATER
3.7.5	SPECIAL REQUIREMENTS
3.7.6	MAINTENANCE
3.7.7	ADMINISTRATION

3.7.1 PURPOSE, INTENT, AND APPLICABILITY.

- 3.7.1.1 Purpose and Intent; Xeriscape Approach to Landscaping. The purpose of this Division is to establish regulations for the installation and maintenance of landscaping and screening according to recognized xeriscape principles and to provide for the protection of native vegetation. The regulations are intended to accomplish the following.
- A. Implement Mayor and Council policy to conserve energy, water, and other natural resources through the use of xeriscape landscaping principles, to promote air quality, to improve community aesthetics, and to protect the public health, safety, and general welfare as follows.
 - 1. Help achieve city water conservation goals through the use of drought-tolerant plantings and xeriscape principles in landscape design.
 - 2. Reduce air pollution and dust by encouraging the use of vegetation for air filtration and absorption of carbon dioxide and production of oxygen.
 - 3. Reduce the heat and glare radiated by the built environment.
 - 4. Reduce soil erosion by slowing storm water runoff.
 - 5. Assist in ground water recharge.
 - 6. Limit the use of allergenic, pollen-producing plants.
 - B. Establish or retain a neighborhood character by providing design criteria to:
 - 1. Buffer the potential negative effects that more intensive land uses may have upon adjacent land uses.
 - 2. Where development is subject to neighborhood or area plan requirements, incorporate the adopted landscape policies of neighborhood or area plans to the extent they are consistent with the provisions of this Division.
 - C. Contribute to and enhance the economic welfare of the city and the quality of life of citizens and visitors through the following.
 - 1. Promote the image of the southwestern desert environment.

2. Create an attractive appearance along city streets.
3. Carry out the intent of design criteria for development along Scenic Routes and Gateway Routes.

3.7.1.2 Applicability, Exceptions. The provisions of this Division apply to the following.

A. All new development.

B. Expansion of existing development.

1. On sites where the gross floor area of the existing building(s) is more than ten thousand (10,000) square feet, expansion in square footage of land area, floor area, lot coverage, or vehicular use area as follows.
 - a. If the expansion is less than twenty-five (25) percent, the requirements of this Division apply only to the proposed expansion. Existing development on the site is subject to the zoning regulations in effect at the time the existing development received zoning approval.
 - b. If the expansion is twenty-five (25) percent or greater or if expansions as of February 15, 1991, cumulatively result in a twenty-five (25) percent or greater expansion in land area, floor area, lot coverage, or vehicular use area, the requirements of this Division apply to the entire site.
2. On sites where the gross floor area of the existing building(s) is ten thousand (10,000) square feet or less, expansions in square footage of land area, floor area, lot coverage, or vehicular use area as follows.
 - a. If the expansion is less than fifty (50) percent, the requirements of this Division apply only to the proposed expansion. Existing development on the site is subject to the zoning regulations in effect at the time the existing development received zoning approval.
 - b. If the expansion is fifty (50) percent or greater or if expansions as of February 15, 1991, cumulatively result in a fifty (50) percent or greater expansion in land area, floor area, lot coverage, or vehicular use area, the requirements of this Division apply to the entire site.

C. Exceptions. The provisions of this Division do not apply to the following.

1. Single-family dwelling units or duplexes on separate lots, except commonly owned areas in Flexible Lot Development (FLD). (Ord. No. 10636, §13, 2/24/09)
2. Approved subdivision plats for which a development plan was approved or development subject to an approved site plan or development plan on file with the City prior to February 17, 1991, if:
 - a. The site is developed in accordance with the approved plat or plan; and
 - b. Development complies with the requirements of Sec. 3.7.2.2, Use of Drought-Tolerant Vegetation.

3.7.2 **LANDSCAPE REQUIREMENTS.**

3.7.2.1 Development Standards. Development subject to this Division is also subject to the provisions of Development Standard 2-06.0 and Development Standard 2-16.0. (Ord. No. 9967, §3, 7/1/04)

DIVISION 2. MINOR SUBDIVISIONS

SECTIONS:

4.2.1	PURPOSE
4.2.2	APPLICABILITY
4.2.3	GENERAL PROVISIONS
4.2.4	REVIEW PROCEDURES
4.2.5	EXPIRATION DATES

- 4.2.1 PURPOSE.** This Division establishes procedures through which the purpose and intent of the subdivision regulations can be accomplished while providing a more economical process for small subdivisions by requiring less documentation and by providing a shorter process than required for large subdivisions.
- 4.2.2 APPLICABILITY.** This Division applies to subdivisions meeting one (1) of the following three (3) groups of criteria.
- 4.2.2.1 Group A Criteria. Group A criteria consist of the following.
- A. Gross site area: Two (2) acres or less.
 - B. Number of lots: Six (6) or less.
 - C. New streets are not proposed.
 - D. All utility services are available at the subdivision site boundary.
 - E. All proposed lots have street frontage or perpetual access easements of a minimum width and maximum length to comply with requirements established by this Chapter or applicable Development Standard.
 - F. All streets bounding the proposed subdivision are fully improved, except for sidewalks which may be improved as part of the project.
 - G. The property has no special topographic conditions, such as slopes greater than ten (10) percent.
 - H. The property is not within a one hundred (100) year floodplain.
 - I. The site does not have special development requirements, unless these special requirements have been reviewed and a decision rendered concerning the requirements. These special development requirements include, but are not limited to, the Hillside Development Zone (HDZ); the Environmental Resource Zone (ERZ); the Scenic Corridor Zone (SCZ); and the Watercourse Amenities, Safety, and Habitat (WASH) ordinance.
 - J. The project is not proposed as a Flexible Lot Development (FLD). (Ord. No. 10636, §14, 2/24/09)
- 4.2.2.2 Group B Criteria. Group B criteria consist of the following.
- A. Gross area of property: Two and one-half (2.5) acres or less.
 - B. Number of lots: Twelve (12) or less.

C. The proposed subdivision creates no more than one (1) new street, provided the street is designed with provisions for on-street parking on both sides and there are no special design considerations, unless such street is a collector or arterial. In those situations, the street shall be designed in accordance with the City Engineer's requirements.

D through J. The same as criteria D through J in Group A, Sec. 4.2.2.1.

K. Review at a preapplication conference is required to determine whether there are sufficient design or technical issues to warrant review of a tentative plat.

4.2.2.3 Group C Criteria. Group C criteria consist of the following.

A through J. The same as criteria A through J in Group A, Sec. 4.2.2.1. Deviation from criteria A through J is acceptable under condition 3. below. Deviation from criteria A through I is acceptable under conditions 1. and 2. below.

1. The proposed subdivision is a resubdivision of an existing plat and involves the reconfiguration of lot lines only and does not affect the street layout or engineering solutions of the recorded plat; or
2. The proposed subdivision is a resubdivision of an existing plat and involves the consolidation of lots into a number of lots which is less than on the recorded plat and may include the abandonment of existing streets provided no new streets are proposed; or
3. A replatting is proposed to rerecord an existing plat to correct an error, note, signature, or similar minor issue not affecting the subdivision layout.

K. The same as criteria K in Group B, Sec. 4.2.2.2.

4.2.3 **GENERAL PROVISIONS.**

4.2.3.1 Minor subdivisions are subject to all the requirements of Sec. 4.1.4, except the following.

- A. Permits for model homes shall not be issued unless and until the plat for the minor subdivision is recorded.
- B. Land clearing and grading are not permitted unless and until the plat for the minor subdivision is recorded.

4.2.3.2 Minor subdivisions shall conform with the design standards for subdivisions provided in Sec. 4.1.8.

4.2.4 REVIEW PROCEDURES. A minor subdivision plat application shall be reviewed in conformance with the review, approval, and recordation procedures for final plats as provided in Sec. 23A-33.2 and Development Standard 2-03.0. Any reviews that are normally conducted during the tentative plat process, such as those involving drainage statements or reports, will be conducted as part of the final plat process. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §4, 7/1/04))

4.2.5 **EXPIRATION DATES.**

4.2.5.1 Maximum Review Period. The subdivider has one (1) year from the date of application to obtain approval and recordation of the minor subdivision plat which complies with requirements in effect at the time of application. If at the end of the one (1) year period the plat does not comply with those requirements, the plat must be revised and resubmitted in compliance with regulations in effect at the time of resubmittal. This resubmittal initiates a new one (1) year review period.

ARTICLE V. ADMINISTRATION

DIVISION 1. POWERS AND DUTIES

SECTIONS:

5.1.1	PURPOSE
5.1.2	MAYOR AND COUNCIL
5.1.3	CITY MANAGER
5.1.4	DEPARTMENT OF URBAN PLANNING AND DESIGN
5.1.5	PLANNING COMMISSION
5.1.6	ZONING EXAMINER
5.1.7	BOARD OF ADJUSTMENT (B/A)
5.1.8	DESIGN REVIEW BOARD (DRB)
5.1.9	TUCSON-PIMA COUNTY HISTORICAL COMMISSION
5.1.10	HISTORIC DISTRICT ADVISORY BOARDS
5.1.11	DEVELOPMENT SERVICES DEPARTMENT (DSD)
5.1.12	DESIGN PROFESSIONAL
5.1.13	DESIGN EXAMINER

- 5.1.1 PURPOSE.** This Division describes the responsibilities, powers, and duties exercised by the legislative and administrative bodies, appointive officers and municipal agencies, and boards and commissions involved in the planning, zoning, and division of land within the city.
- 5.1.2 MAYOR AND COUNCIL.** The Mayor and Council perform the following functions.
- 5.1.2.1 General Plan. The Mayor and Council shall adopt a comprehensive, long-range general plan for the development of the city known as the *General Plan* and any of its elements as provided in Sec. 5.2.2 and elements mandated by the Arizona Revised Statutes (ARS), Sec. 9-461.05 and 9-461.06. Adoption of, and amendment to, the *General Plan* shall be in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). The *General Plan* is equivalent to the state-mandated general plan. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.2 Specific Plans and Regulations. The Mayor and Council shall adopt specific plans, regulations, programs, and legislation as described in Sec. [5.2.3](#) and as may be needed for the systematic implementation of the *General Plan* and provided for in the Arizona Revised Statutes (ARS), Sec. 9-461.08. Adoption of, and amendment to, specific plans shall be in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.3 Redevelopment Plans. The Mayor and Council shall adopt redevelopment plans which are policy plans addressing slum and blighted areas from the standpoint of providing economic incentives to stimulate development/redevelopment. Consideration of adoption of, or amendment to, a redevelopment plan shall be in accordance with the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.4 Land Use Code (LUC). The Mayor and Council shall adopt and amend the *Land Use Code (LUC)* in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.5 Establishment of Original City Zoning. The Mayor and Council shall establish original city zoning for land annexed in accordance with procedures set forth in the Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)

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- 5.1.2.6 Changes in Zoning District Boundaries (Rezoning). The Mayor and Council shall consider amendments to zoning district boundaries as provided on the City Zoning Maps in accordance with there Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.7 Repealed. (Ord. No. 8765, §1, 10/14/96; Ord. No. 9517, §4, 2/12/01)
- 5.1.2.8 Appeals of Zoning Examiner (Examiner) Decisions, Special Exception Land Uses. The Mayor and Council shall consider appeals from Zoning Examiner (Examiner) decisions on Special Exception Land Use applications in accordance with procedures set forth in the Mayor and Council Appeal Procedure, Sec. 23A-62. (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.9 Plats. The Mayor and Council shall consider final plats in accordance with procedures set forth in Sec. 4.1.6.2. Authority to approve a tentative plat is delegated to the Development Services Department (DSD) Director. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9517, §4, 2/12/01)
- 5.1.2.10 Special Exception Land Uses. The Mayor and Council shall consider Special Exception Land Use requests requiring legislative consideration in accordance with the Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.11 Enforcement. The Mayor and Council shall adopt policies for establishing rules and procedures deemed necessary for the enforcement of the *Land Use Code (LUC)*. (Ord. No. 9517, §4, 2/12/01)
- 5.1.2.12 Appointments. The Mayor and Council appoint the members of the following boards and commissions.
- A. Planning Commission in accordance with Sec. 5.1.5.
 - B. Board of Adjustment (B/A) in accordance with Sec. 5.1.7.
 - C. Design Review Board (DRB) in accordance with Sec. 5.1.8. (Ord. No. 9967, §5, 7/1/04)
- (Ord. No. 9517, §4, 2/12/01)
- 5.1.2.13 Appeals of DSD Full Notice Procedure Decisions. The Mayor and Council shall consider appeals of Development Services Department (DSD) Director decisions on applications under the DSD Full Notice Procedure in accordance with the Mayor and Council Appeal Procedure, Sec. 23A-62. (Ord. No. 9179, §1, 12/14/98; Ord. No. 9392, §1, 5/22/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.14 Protected Development Right Plan Approvals. The Mayor and Council shall consider for approval protected development right plans submitted in accordance with Arizona Revised Statutes (ARS), Sec. 9-1201 through 9-1205 inclusive and the procedures set forth in Sec. [5.3.1.0](#). (Ord. No. 9635, §1, 12/10/01; Ord. No. 9750, §1, 8/5/02)
- 5.1.3 CITY MANAGER.** The City Manager provides general supervision of, and direction to, the Department of Urban Planning and Design and the Development Services Department (DSD) in the administration of the *Land Use Code (LUC)*, subject to the control of the Mayor and Council, and is given the authority to perform the following duties. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §5, 7/1/04)
- 5.1.3.1 Enforcement. The City Manager assures that the *Land Use Code (LUC)* is enforced and that City agencies and employees provide assistance to the Department of Urban Planning and Design, the Development Services Department (DSD), and the responsible boards and commissions in the planning, zoning, and division of land. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §5, 7/1/04)
- 5.1.3.2 Capital Improvement Program. The City Manager, with the assistance of the Director of the Department of Urban Planning and Design and other City agencies, prepares a coordinated program of proposed public works for the city on an annual basis.
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existing use or structure is expanded, reconstructed, changed, or otherwise altered; and no land is divided into multiple parcels until conformance with provisions of the Development Standards has been certified through a zoning review process and for assuring that development occurs as approved prior to final occupancy.

- D. *DSD Full Notice Procedure Decisions.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the DSD Full Notice Procedure within the resource overlay zones including the Hillside Development Zone (HDZ), Scenic Corridor Zone (SCZ), Environmental Resource Zone (ERZ), Historic Preservation Zone (HPZ), applications for development under the Watercourse Amenities, Safety and Habitat (WASH) regulations, and other matters as designated by the Tucson Code in accordance with the DSD Full Notice Procedure, Sec. 23A-50 and 23A-51. (Ord. No. 9967, §5, 7/1/04)
- E. *Limited Notice Procedure Decisions.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the Limited Notice Procedure in accordance with Sec. 23A-40. (Ord. No. 9967, §5, 7/1/04)
- F. *Administrative Design Review.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the Administrative Design Review Procedure in accordance with Sec. 23A-32. (Ord. No. 9967, §5, 7/1/04)
- G. *Land Splits.* The Development Services Department (DSD) Director is responsible for assuring conformance with land split regulations, as provided in Article IV, Division 3, and in Sec. 23A-33.2(2). (Ord. No. 9967, §5, 7/1/04)
- H. *Special Exception Land Uses.* The Development Services Department Director evaluates and makes administrative decisions on certain Special Exception Land Uses as provided in Sec. [5.3.9](#). (Ord. No. 9967, §5, 7/1/04)
- I. *Substitution of Nonconforming Use.* The Development Services Department Director evaluates and makes decisions on requests to substitute new nonconforming uses for existing nonconforming uses as provided in Sec. [5.3.6](#). (Ord. No. 9967, §5, 7/1/04)
- J. *Modification of Land Use Code (LUC) Provisions.* The Development Services Department Director evaluates and makes decisions on requests to modify requirements such as setbacks, height, parking, screening, and landscaping as provided in the Design Development Option (DDO), Sec. [5.3.4](#) and Sec. [5.3.5](#). (Ord. No. 9967, §5, 7/1/04)
- K. *Temporary Use or Structure.* The Development Services Department Director may approve a temporary use or structure as provided in Sec. [5.3.7](#). (Ord. No. 9967, §5, 7/1/04)
- L. *Other Duties.* The Development Services Department (DSD) Director performs such other functions as may be required of DSD in assisting the Zoning Administrator in implementing provisions of the *Land Use Code (LUC)*. (Ord. No. 9967, §5, 7/1/04)

(Ord. No. 9392, §1, 5/22/00)

5.1.11.3 **Zoning Administrator.** The Zoning Administrator, who is appointed by the Development Services Department Director, performs the duties and responsibilities as described below. The Development Services Department Director shall designate a temporary Zoning Administrator whenever the Zoning Administrator is unable to perform the duties of the office due to illness, potential conflict of interest, or similar reason.

- A. *Land Use Code (LUC) Interpretation.* The Zoning Administrator interprets the City Zoning Maps and the provisions of the *Land Use Code (LUC)* in accordance with Sec. 23A-31(5).

- B. *Land Use Code (LUC) Enforcement.* The Zoning Administrator enforces the *Land Use Code (LUC)* with assistance from the Development Services Department (DSD) as provided in Sec. 5.1.11, Sec. 5.5.2, and Sec. 5.5.3 and from other City departments as may be provided by the City Manager and Mayor and Council.
- C. *Other Responsibilities.* The Zoning Administrator shall perform such other functions as may be required by the Development Services Department Director or the *Land Use Code (LUC)*.

(Ord. No. 9967, §5, 7/1/04)

5.1.12 DESIGN PROFESSIONAL. The Design Professional is established to review building permits for projects located in NPZ overlays for compliance with applicable design manuals as set forth in *Land Use Code (LUC)*, Sec. 23 of the Tucson Code and in the Development Compliance Code, Sec. 23A-32.1 of the Tucson Code.

5.1.12.1 Appointment and Qualifications

- A. *Appointment.* The City Manager shall recommend a candidate(s) for the position of Design Professional. The Mayor and Council shall appoint the Design Professional.
- B. *Qualifications.* The Design Professional shall be a registered architect, preferably with historic preservation experience.

5.1.12.2 Powers and Duties

- A. *Compatibility Review within Neighborhood Preservation Zones.* The Design Professional shall review applications for building permits for projects located within adopted Neighborhood Preservation Zone Overlays for compliance with the applicable Design Manual and Section 2.8.11.9 (Compatibility Review for Applications for Proposed Development). The Design Professional will forward a written report with findings and recommendation to the Director of the Department of Urban Planning and Design. The Director shall take into account the recommendations of the Design Professional when considering approval of the application.
- B. *Conditions.* The Design Professional may impose conditions on the approval of a building permit to ensure that the design of the project mitigates the impact of the project on the subject development zone.
- C. *Other Responsibilities.* The Design Professional shall perform such other functions as may be required by the *Land Use Code (LUC)*.

(Ord. No. 10548, §2, 6/10/08)

5.1.13 DESIGN EXAMINER (DE). The Design Examiner (DE) is established to review proposed buildings, structures, landscaping, architectural features, of proposed subdivisions, development plans, and site plans as set forth in the *Land Use Code (LUC)*, Sec. 23 of the Tucson Code and in the Development Compliance Code, Sec. 23A of the Tucson Code.

5.1.13.1 Appointment and Qualifications

- A. *Appointment.* The City Manager shall recommend a candidate(s) for the position of DE. The Mayor and Council shall appoint the DE.
- B. *Qualifications.* A DE shall be one of the following:

(Ord. No. 10636, §5, 2/24/09)

1. a registered architect; or,

2. a registered landscape architect

5.1.13.2 Powers and Duties.

- A. *Flexible Lot Development (FLD) Project Review.* The DE shall review FLD projects for compliance with, but not limited to:
 1. Section 3.6.1.4.D (Functional Open Space);
 2. Section 3.6.1.5.A.1 (Transition Edge Treatment);
 3. Section 3.6.1.5.A.2 (Privacy Mitigation);
 4. Section 3.6.1.5.D.2 (Modifications to Street Perimeter Yard Setbacks); and,
 5. Section 3.6.1.6.B (Architectural Variation).
- B. *Recommendation.* The DE shall forward a written recommendation with findings to the Director of the Development Services Department. The Director shall consider the DE's recommendation and render a decision on the FLD.
- C. *Findings for Privacy Mitigation Plans.* The DE may recommend a project if it meets the following findings:
 1. Will not be detrimental to public health and safety; and
 2. Will not impair an adequate supply of light and air to adjoining properties; and
 3. Will not create a nuisance to surrounding properties.
- D. *Conditions.* The DE may recommend conditions on the approval of an FLD to ensure that the design of the FLD mitigates the impact of the FLD and provides suitable transitions to the adjoining existing residential developments.
- E. *Other Responsibilities.* The DE shall perform such other functions as may be required by the *Land Use Code (LUC)*.

Ord. No. 10636, §5, 2/24/09)

- D. The modification is not to a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs.
- E. The modification is not to a setback requirement of a Flexible Lot Development (FLD). The FLD already provides less stringent standards than those applicable to other development. (Ord. No. 10636, §15, 2/24/09)
- F. The modification applies to property that cannot be developed in conformity with the provisions of this Chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, or exceptional topographic conditions.
- G. The modification does not delete or waive an *LUC* requirement but provides an alternate solution.
- H. The modification does not create a situation where the proposed development substantially reduces the amount of privacy which would be enjoyed by nearby residents any more than would be available if the development was built without the modification.
- I. The modification does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification.
- J. The modification does not create a situation where proposed development will block visibility on adjoining streets for either vehicular or pedestrian traffic.
- K. The modification does not create a situation where the proposed development will interfere with the optimum air temperature/solar radiation orientation of buildings on adjoining properties substantially more than would occur if the buildings or structures were built without the modification.
- L. The modification does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modification.
- M. The modification is designed to mitigate any negative impacts that may be created by the modification.
- N. The modification does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.
- O. The modification does not reduce the setback from a street to less than is allowed under the provisions of Sec. 3.2.6.5.B.
- P. The modification is not for an increase in height of more than two (2) feet to an accessory wall or fence, except that an increase of up to four (4) feet may be considered for entry features on walls and fences.

5.3.4.4 Expiration of Approval. Any Design Development Option (DDO) approval granted by the Development Services Department Director shall be null and void if building permits are not issued implementing the DDO or compliance with conditions of approval does not occur within one hundred eighty (180) days from the date of approval. One (1) extension of up to one hundred eighty (180) days may be granted by the Development Services Department Director for good cause. (Ord. No. 9967, §5, 7/1/04)

5.3.5 DESIGN DEVELOPMENT OPTION (DDO). This Section is established to provide an administrative process through which specific Development Regulations of the *LUC* may be modified. This procedure is not intended to delete or waive *LUC* regulations but is intended to accomplish: (Ord. No. 9967, §5, 7/1/04)

- Design flexibility in *LUC* compliance.
- Originality and innovation in site planning and architectural design.
- Energy conservation through site and building design.
- Alternative design solutions within the intent of the regulation.
- Enhancement of community aesthetics.

5.3.5.1 Applicability. The following Development Regulations may be considered for modification under this Section.

- A. Landscaping and screening provisions.
- B. The number of off-street motor vehicle parking spaces.
- C. The location and number of bicycle parking spaces.

5.3.5.2 Review. Review of Design Development Option (DDO) requests shall be through a Limited Notice Procedure, Sec. 23A-40. Prior to a decision by the Development Services Department Director, the Design Review Board (DRB) shall review the request and provide the Development Services Department Director with a recommendation. Application requirements shall be established by the Development Services Department Director and shall include, but not be limited to, property ownership information, a site plan, elevations, and such other information as may be necessary to evaluate the request. (Ord. No. 9967, §5, 7/1/04)

5.3.5.3 Findings for Approval. The Development Services Department Director may approve a design modification, as provided by this Section, if all of the following findings are made. (Ord. No. 9967, §5, 7/1/04)

- A. The modification is not a request previously denied as a variance. (Ord. No. 9179, §1, 12/14/98)
- B. The modification is not to a special requirement or finding to determine whether the use should be allowed in the zone.
- C. The modification is not to a condition of approval for a rezoning or Special Exception Land Use application.
- D. The modification is not to a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs.
- E. The modification does not create a situation where the proposed development will adversely impact adjacent properties or development.
- F. The modification does not create a situation where the proposed development substantially reduces the amount of privacy which would be enjoyed by nearby residents any more than would be available if the development was built without the modification.
- G. The modification does not create a situation where proposed development will block visibility on adjoining streets for either vehicular or pedestrian traffic.
- H. The modification provides design alternatives to better integrate the development into the design character of the immediate neighborhood.

Days. Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins is not included. The last day of the designated period is included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten (10) days, intermediate Saturdays, Sundays, and holidays are not included. Holidays are those recognized by the City of Tucson.

DD. Same as Development Designator. See Sec. 2.1.8.

Dedicate. The act of giving a gift or donation to another person or entity.

Dedicated. The act of giving a gift or donation to another person or entity and that such gift or donation has been accepted.

Density. Generally, density means the number of residential units per acre. As applied in the Flexible Lot Development (FLD) provisions, density means the number of dwelling units that may be constructed per acre of developable area within a site. For information on calculation of density, with the exception of an FLD, refer to Sec. 3.2.10. For FLD density calculations, refer to Sec. 3.6.1. (Ord. No. 10636, §16, 2/24/09)

Design Grade. The minimum modification of natural or existing grade that allows safe and appropriate access, drainage, and buildable areas.

Design Review Board (DRB). See Sec. 5.1.8, Design Review Board (DRB). (Ord. No. 9967, §6, 7/1/04)

Detached Single-Family Dwelling. See Single-Family Dwelling, Detached, Sec. 6.2.19.

Developable Area. The land area of a site controlled by a single landowner or entity at the time of issuance of building permits or, if subdividing the property, subdivision application, including those areas which are dedicated as natural areas within a Hillside Development Zone (HDZ) area, but exclusive of any floodway property as described in Chapter 26, Division 1, Floodplain and Erosion Hazard Area Regulations, of the Tucson Code. Those areas within a floodway are included in the developable area where the City Engineer has approved construction of a principal building or of an accessory or incidental structure.

Developing Area. An area where less than fifty (50) percent of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required for the applicable zoning classification or street frontage. (Ord. No. 9517, §5, 2/12/01)

Developing Area Setback. A term used to describe the required building setback from a street applicable where a developing area exists. (Ord. No. 9517, §5, 2/12/01)

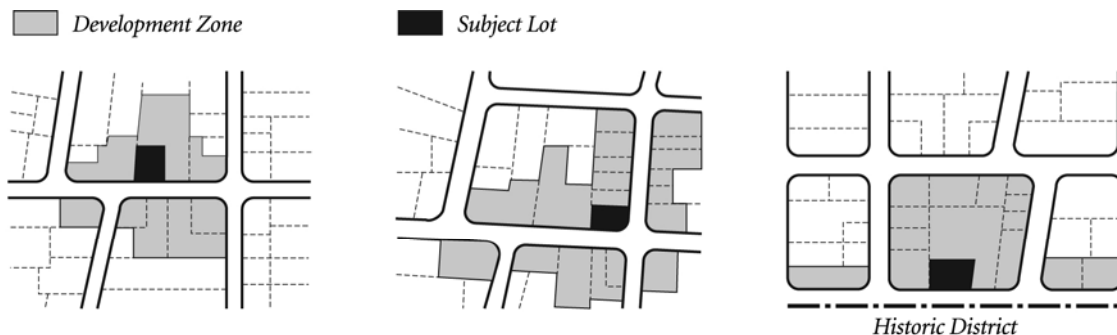
Development. Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, clearing, grubbing, or grading of land, and structural improvements, e.g., buildings, walls, fences, signs, and vehicular use areas.

Development Designator. A letter or number, or a combination of letters and numbers, which designates the development criteria applicable to each land use in every zone. For applicability information, refer to Sec. 2.1.8.

Development Plan. A drawing of a project site that provides detailed information which shows how a proposed project will be developed in compliance with City regulations. Where specifically required by ordinance or condition of rezoning, a development plan shall be prepared in compliance with the requirements of Sec. 5.3.8 of this chapter.

Development Zone. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), Sec. 2.8.11, Neighborhood Preservation Zone (NPZ), and Sec. 2.8.10, Rio Nuevo and Downtown (RND) Zone, a certain designated area adjacent to the lot to be developed. Public and institutional structures within the development zone shall not be considered part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development zone is determined as follows. (*See Illustration 6.2.4.A, .B, and .C.*)

- A. Where the subject lot is an interior lot, the development zone includes that lot, all lots on either side of that lot and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the development zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.
- B. Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two (2) streets in the same block, and all lots on the opposite sides of those streets, except such portions of the development zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.
- C. Where the subject lot is located adjacent to a historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.



6.2.4.A
Development Zone
for an Interior Lot
 (Ord. No. 9780, §7, 10/14/02; Ord. No. 10548, §3, 6/10/08)

6.2.4.B
Development Zone
for a Corner Lot

6.2.4.C
Development Zone
for a Boundary Lot

Director. The chief executive officer of a City department. (Ord. No. 9967, §6, 7/1/04)

Disguise. To furnish with a false appearance or to alter in such a manner as to hide the true character of an object. (Ord. No. 8813, §1, 3/3/97)

Downtown Heritage Incentive Zone. An area the boundaries of which are congruent with the boundaries of the Downtown Redevelopment District.

Downtown Redevelopment District. That area as delineated by Map 6.2.4-I. (*See Map 6.2.4-I.*)

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